CEQA Findings of Fact &
Statement of Overriding Considerations

Exhibit B

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ABBREVIATIONS AND ACRONYMS

AB	Assembly Bill
ALUC	Airport Land Use Commission
Authority	Burbank-Glendale-Pasadena Airport Authority
Basin	South Coast Air Basin
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
City	City of Burbank
CLUP	Comprehensive Land Use Plan
CO	carbon monoxide
CSCS	Citywide Signal Control System
DEIR	Draft Environmental Impact Report
diesel PM	diesel particulate matter
du/ac	dwelling unit per acre
EIR	Environmental Impact Report
FAR	floor-area ratio
FTA	Federal Transit Administration
GGRP	Greenhouse Gas Reduction Plan
GHG	greenhouse gas
I-5	Interstate 5
IRP	integrated resource plan
LOS	level of service
Metropolitan	Metropolitan Water District of Southern California
MT CO_2e	metric tons of carbon dioxide equivalent
NEPA	National Environmental Policy Act
NOA	Notice of Availability
NOC	Notice of Completion
NOP	Notice of Preparation
NOX	oxides of nitrogen
PM	particulate matter
$PM_{2.5}$	particulate matter less than or equal to 2.5 microns in diameter
PM_{10}	particular matter less than or equal to 10 microns in diameter
PRC	Public Resources Code
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SEL	sound exposure level
Senate Bill X7-7	California Water Conservation Bill of 2009
SR 134	State Route 134
SWP	State Water Project
TAC	toxic air contaminant
TBR	Technical Background Report
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled

1 PROJECT DESCRIPTION

The following describes *Burbank2035* (proposed project), including the location, history, and objectives of the proposed project and the relationship of the proposed project to related plans and regulations. *Burbank2035* defines long-term community goals, decision-making policies, and implementation programs. *Burbank2035* establishes several land use designations that include residential, commercial, retail, institutional, and recreational uses. *Burbank2035* establishes policies to accommodate a total of 50,219 dwelling units, 116,516 residents, and 52,019,676 square feet of non-residential uses in 2035. The environmental impact analysis in the Program EIR is defined primarily by the change between existing conditions and those associated with future land uses proposed in *Burbank2035*.

The greenhouse gas reduction plan (GGRP) proposes emissions reduction measures and actions to describe how the City will assist the State in fulfilling its obligations under Assembly Bill (AB) 32. The City is adopting the GGRP as an implementing action for *Burbank2035* to meet goals and implement policies set forth in the Air Quality and Climate Change Element. The GGRP describes measures intended to reduce greenhouse gas (GHG) emissions within both City operations and the community at-large.

Burbank2035 and the Environmental Impact Report (EIR) were drafted in tandem as a part of a single cohesive and mutually supportive process. The existing conditions analysis and alternatives analysis that supported selection of a "Preferred Alternative" for *Burbank2035* also provided a platform for discussing how the design and narrative content of the plan could be structured to minimize or avoid significant impacts. As a part of the policy development of *Burbank2035*, the City explicitly considered narrative policy, actions, and diagrammatic policies that could reduce environmental impacts associated with *Burbank2035* buildout. The City has, to the extent feasible, created a self-mitigating plan – one where the very design of the plan itself serves to reduce potential environmental impacts.

The *Burbank2035* EIR is a "program EIR," as described under the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq. [14 CCR 15000 et seq.]). Programmatic documents analyze "a series of actions that can be characterized as one large project and are related...in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program" (State CEQA Guidelines Section 15168[a][3]). Through implementation of *Burbank2035*, the City has provided tiering and streamlining potential for projects that are consistent with the diagrams, narrative policies, and actions of *Burbank2035*. The City intends to take advantage of streamlining provided by CEQA, and will make use of emerging streamlining techniques, such as those related to implementation of the Sustainable Communities Strategy (Public Resources Code [PRC] Section 21155). The analysis in this program EIR is considered the first tier of environmental review and creates the foundation upon which future, project-specific CEQA documents can build (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15152). Project-level environmental analysis for projects that are consistent with, and implement *Burbank2035* can be streamlined to limit the scope of site-specific approvals (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15168(d)). Since the City endeavored to create a largely self-mitigating plan, projects that incorporate *Burbank2035* policies and actions, as appropriate, at the project level can minimize a wide range of potential impacts simply through consistency with *Burbank2035*.

1.1 PROJECT LOCATION

The "project site," as defined by CEQA, is the incorporated area of the City of Burbank. Burbank is located in the central portion of Los Angeles County, approximately 12 miles north of downtown Los Angeles. The northeastern part of the city is located along the foothills of the Verdugo Mountains and the western edge of the city is located near the eastern part of the San Fernando Valley. Burbank is bisected by Interstate 5 (I-5) and adjacent to the cities of Los Angeles and Glendale. State Route (SR) 134 crosses the southern portion of Burbank, separating the

city from portions of Griffith Park. The corporate limits of the City of Burbank encompass approximately 17.1 square miles. The planning area includes the entire corporate limits of Burbank.

1.2 PROJECT BACKGROUND

The General Plan is a state-required policy document that provides guidance to City decision-makers on allocating resources and determining the future physical form and character of development. It is the City's official statement about the extent and types of development needed to achieve the community's physical, economic, social, and environmental goals. Burbank's existing General Plan was adopted in the 1960s. Various elements of the General Plan have been updated and amended in the intervening years, but the plan has not been comprehensively revised since that time. Much of the data, analyses, and policies in the existing plan were developed over the course of the last five decades, and do not reflect current conditions in the city. A new general plan is necessary to reflect the current vision of quality of life, priorities for resource protection, and manner of future growth within Burbank over the next 20 years. In 2009, the City of Burbank (City) initiated a comprehensive update of its General Plan. A Preliminary Draft *Burbank2035* General Plan was prepared in June 2011, followed by a revised draft in November 2011. *Burbank2035* consists of individual sections, or "elements," each of which address a specific topic; however, it also embodies a comprehensive and integrated approach to planning. *Burbank2035* clarifies and articulates the City's intentions with respect to the rights and expectations of the general public, property owners, community groups, developers, and businesses to provide policy language and guidance on how the city should grow. Since the release of the Preliminary Draft of *Burbank2035*, the City has refined the policy and implementation guidance and prepared a Public Review Draft of *Burbank2035*. In addition to the General Plan document, the proposed project also includes a GGRP identifying long-term strategies to mitigate the community's greenhouse gas (GHG) emissions.

A Technical Background Report (TBR), attached to the draft environmental impact report (DEIR) as Appendix A, provides a profile and analysis of existing conditions in and around the city. Existing physical, social and economic conditions were described for baseline year 2010. The TBR provides a foundation for the development of goals, policies and programs in *Burbank2035*, and comprises the "Existing Setting" section for each environmental issue area addressed in the EIR.

1.3 PROJECT OBJECTIVES

As part of the *Burbank2035* public outreach process, a series of vision statements were developed through a partnership and dialogue between the City government and members of the community. The statements create a vision for Burbank in 2035 and provide guidance for policymakers as they work to improve the quality of life in Burbank. The following statements represent both the foundation for *Burbank2035* goals, policies, and programs, and the project objectives for the EIR.

- **Balanced Development** - Burbank has a desirable balance of land uses to best serve residents and protect the small-town character of the community while maintaining economic vitality.

- **Community Image and Character** - The architecture, design, and density of new development identify and characterize Burbank as a unique destination. Burbank treasures its small-town character that gives residents a sense of belonging and community.

- **Complete Streets** - Burbank prioritizes streets that are complete, safe, and efficient. All users of city streets are valued equally, and the street is considered an essential public place. Parking is planned to meet the needs of residents, workers, and visitors. Convenient public transportation and bicycle and pedestrian facilities provide choices for safe movement throughout the city and link Burbank to the regional multi-modal transportation system.

- **Economic Vitality** - Burbank has a vibrant, healthy, and diverse economy. The City supports businesses that are a vital part of Burbank's economy and seeks to capitalize on unique aspects of its economic base.

- **Environmental Equity** - Burbank ensures that the adverse and positive environmental effects of planning decisions are borne equally by the entire community, regardless of age, culture, ethnicity, religion, gender, sexual orientation, race, socioeconomic status, or geographic location.

- **Housing Variety** - Burbank offers a wide range of housing to meet the needs of all age groups, family types, and income levels, as well as those with special housing needs.

- **Open Space and Conservation** - Burbank's parks, open space and recreational facilities are valuable resources for the community and are carefully maintained, preserved, and expanded wherever possible. The Verdugo Mountains are a unique natural resource in an urban environment that Burbank is fortunate to enjoy. Preserving this asset is a priority.

- **Proactive and Responsive Government** - Burbank listens and responds to the needs and concerns of the community. The City provides services and public facilities that support safe, convenient, and attractive neighborhoods; high-quality educational, recreational, and social programs; and reliable public utilities.

- **Quality Neighborhoods and Schools** - Neighborhoods are a basic building block of Burbank's small-town atmosphere. Burbank is committed to maintaining and protecting its quality residential neighborhoods. Burbank schools are a source of pride for the community and a resource to support and protect.

- **Safety** - Burbank provides a safe and healthy environment and protects all people in the community. The City is prepared to manage and recover from emergencies.

- **Sustainability** - The City makes prudent decisions about the amount and location of growth to ensure a high quality of life for present and future generations. Environmentally sound development is required, with special attention given to water and energy conservation, recycling, and complete streets.

1.4 PROJECT CHARACTERISTICS

As discussed above, the proposed project consists of two components: *Burbank2035* and the GGRP. Both components are described below.

1.4.1 BURBANK2035

Burbank2035 is designed to lead Burbank into its second 100 years, continuing to advance a critical balance between quality of life, economic prosperity, and environmental sustainability. Based on the vision statements and project objectives presented above, *Burbank2035* defines long-term community goals, decision-making policies, and implementation programs through text and maps in each of six elements described below. The environmental impact analysis in this Program EIR is defined primarily by the change between existing conditions and those associated with future land uses proposed in *Burbank2035*. Key components of each element are described below, including a summary of the goals and policy diagrams presented in each element, and identification of proposed service standards, targets, or guidelines. The full text of *Burbank2035* is available for public review on the City's website at http://www.burbank2035.com

Burbank2035 consists of six elements, or chapters, that together meet State requirements for a general plan. These elements are:

- Air Quality and Climate Change
- Land Use

- Mobility
- Noise
- Open Space and Conservation
- Safety

Burbank2035 also includes an Introduction chapter, and a Plan Realization Element that presents implementation programs for each element.

Burbank2035 establishes an overall development capacity for the city, and represents the City's policy for determining the appropriate physical development and character of the planning area. Any decision by the City affecting land use and development must be consistent with *Burbank2035*. An action, program, or project would be considered consistent if, considering all of its aspects, it would further the goals and policies set forth within *Burbank2035* and not obstruct their attainment.

AIR QUALITY AND CLIMATE CHANGE ELEMENT

The *Burbank2035* Air Quality and Climate Change Element is an optional general plan element. Section 65303 of the California Government Code enables a county or city to adopt "any other elements or address any other subjects, which, in the judgment of the legislative body, relate to the physical development of the county or city." An optional element must be consistent with the seven mandatory general plan elements and, once adopted, carries the same legal weight as any of the mandatory elements.

The Air Quality and Climate Change Element addresses ways to reduce air pollution, protect people and places from toxic air contaminants (TACs) and odors, comply with statewide GHG emission reduction goals, and adapt to changed environmental conditions caused by a changing climate. Air quality has been a concern in Burbank and the South Coast Air Basin (Basin) dating back to the 1940s, when smog was first recognized as a danger to human health and the environment. Efforts to eradicate smog and air pollutants have included both simple solutions (e.g., banning backyard trash burning, limiting emissions from incinerators) and major technological innovations (e.g., developing catalytic converters, reformulating gasoline). However, continued population growth and the dominance of the automobile introduce new challenges: fossil fuel combustion required to heat homes, power vehicles, and deliver water create a variety of pollutants, including carbon dioxide and other GHGs.

Burbank's climate, character, and employment opportunities continue to attract new residents each year. Reducing air pollution and GHG emissions is critical to the health and well-being of Burbank residents and businesses. Promoting cleaner air quality will also reduce negative economic effects related to air quality, climate change, and harm to the environment and human health. Because air quality and climate change are regional and global issues, resolving them requires coordinated efforts on many scales. The region must be considered when goals, plans, and policies to improve air quality are developed because polluted air circulates from one place to another throughout the Basin. However, local actions can have wide-reaching effects, and Burbank is committed to do its part. Goals presented in the Air Quality and Climate Change Element describe ideal conditions in Burbank in 2035, and include the following:

- **Reduction of Air Pollution** - The health and sustainability of the city, county, and Basin are improved by planning and programs that reduce air pollutants.

- **Sensitive Receptors** - Burbank is committed to reducing the exposure of sensitive receptors to toxic air contaminants and odors.

- **Reduction of Greenhouse Gas Emissions** - Burbank seeks a sustainable, energy-efficient future and complies with statewide greenhouse gas reduction goals.

- **Climate Change** - Prepare for and adapt to anticipated effects of climate change.

Each goal is supported by policies in the Air Quality and Climate Change Element and implementation programs in the Plan Realization Element describing how the goals will be achieved. The key implementation program for the Air Quality and Climate Change Element is development of the GGRP.

Greenhouse Gas Reduction Targets and Goals

Air Quality and Climate Change Element policies establish GHG emissions reduction targets and goals. Specifically, Policy 3.1 establishes a binding, enforceable reduction target to reduce communitywide GHG emissions within Burbank by at least 15% from current levels by 2020. Similarly, Policy 3.2 establishes a goal to reduce communitywide GHG emissions by at least 30% from current levels by 2035.

LAND USE ELEMENT

The Land Use Element is the cornerstone of *Burbank2035* and serves as a guide for future development in the city. The land use plan, policies and programs reflect the economic, social, and cultural values of the city. This element also identifies the physical opportunities and constraints for development in the city; describes the future location, type, intensity, and design of land uses; and establishes the desired mix and relationship between land uses. The Land Use Element guides future development in Burbank and designates appropriate locations for different land uses including open space, parks, residences, commercial uses, industry, schools, and other public uses. The Land Use Element establishes standards for residential density and non-residential building intensity for land located throughout the city. Appropriate planning of land uses in this element assures that sensitive uses such as homes and schools are not located near incompatible land uses that may adversely affect public health. In cases where potential land use incompatibilities may exist, the Land Use Element establishes a framework for dealing with these issues.

Land Use Element goals and policies support the concept of balance in the community – the idea that small-town character, economic prosperity, and sustainability do not have to come at the expense of one another, but rather can coexist and complement each other. Achieving this balance will properly manage future growth, strengthen and diversify the economy, and protect Burbank's neighborhoods and quality of life. Goals presented in the Land Use Element include the following:

- **Quality of Life** - Burbank maintains a high quality of life by carefully balancing the needs of residents, businesses, and visitors.
- **Sustainability** - Burbank is committed to building and maintaining a community that meets today's needs while providing a high quality of life for future generations. Development in Burbank respects the environment and conserves natural resources.
- **Community Design and Character** - Burbank's well-designed neighborhoods and buildings and enhanced streets and public spaces contribute to a strong sense of place and "small town" feeling reflective of the past.
- **Public Spaces and Complete Streets** - Burbank has attractive and inviting public spaces and complete streets that enhance the image and character of the community.
- **Housing** - Burbank provides housing options for people and families with diverse needs and resources.
- **Economic Vitality and Diversity** - Burbank has a healthy and diverse economy and provides for a full range of retail, commercial, office, and industrial uses. Businesses contribute to community character and economic vitality by supporting neighborhood, community, and regional needs and providing diverse employment options.
- **Community Participation** - Burbank encourages community engagement and provides a wide range of opportunities to participate in the planning process.

Each goal is supported by policies in the Land Use Element and implementation programs in the Plan Realization Element describing how the goals will be achieved. The key implementation program for the Land Use Element is a comprehensive revision to Burbank's Zoning Ordinance.

Land Use Designations

Burbank2035 provides a vision for how Burbank will look and function in decades to come. The Zoning Ordinance establishes requirements for how land can be developed and used today. By requiring land to be used and developed in ways that are consistent with *Burbank2035*, the Zoning Ordinance implements the plan over time. All land in Burbank has a *Burbank2035* land use designation and is located in a zone. Land use designations establish broad policy and intent for how land should be used and developed. Zones allow or prohibit specific uses and establish setbacks, minimum parking requirements, and other development requirements. One or more zones specify detailed use and development standards for each land use designation.

Each land use designation generally describes the intended land uses for a parcel or parcels and establishes a permitted range of density or intensity of development. The maximum allowable density or intensity at any given location may be affected by such factors as the physical characteristics of a parcel, access and infrastructure issues, and compatibility with surrounding uses. Dwelling unit per acre (du/acre) densities describe the maximum permitted intensity of residential uses, and floor-area ratios (FARs) describe the maximum permitted intensity and size of commercial and industrial uses. For most commercial and industrial designations, both densities (du/acre) and intensities (FAR) are established, although future residential uses within such designated areas would require discretionary approval. Where a range is established, the minimum value represents the least intense land use permitted within the area, while the maximum value represents the most intense land use permitted.

Burbank2035 Development Capacity

The Land Use Element includes proposed land use designations and a Land Use Diagram (Exhibit 3-3 on page 3-11 of the DEIR) that depicts the types, locations, and intensities of current and future land uses within the planning area. Table 3-2 in the DEIR, and reprinted below, provides the anticipated Draft General Plan development capacity within the planning area, and compares this capacity to existing (2010) conditions.

Specific Plans

A specific plan is a planning tool authorized by California law that implements *Burbank2035* by establishing detailed development goals and policies for a specific geographic area. In Burbank, the term "specific plan" has been applied generally to any planning document that focuses on a particular area of the city. Burbank's specific plans include the Burbank Center Plan (1997), Media District Specific Plan (1991), and Rancho Master Plan (1993).

- **Burbank Center Plan -** The Burbank Center Plan was adopted in 1997 as an economic development plan to facilitate the revitalization of Downtown Burbank, South San Fernando, and surrounding areas.

- **Media District Specific Plan** - The Media District Specific Plan was adopted in 1991 in response to the development of several high rise office buildings in the 1980s and the potential effects that similar future development could have on surrounding residential neighborhoods.

- **Rancho Master Plan** - Land use policies for the Rancho Neighborhood were adopted in 1993 in an effort to recognize and preserve the unique equestrian character of this area.

MOBILITY ELEMENT

The Mobility Element defines Burbank's transportation network, including streets, railways, transit routes, bikeways, and sidewalks, and describes how people move throughout the city. The transportation network is a

major determinant of urban form and land use. Factors such as, but not limited to, traffic patterns and congestion, access to transit, and ease and safety of walking and biking may determine where people choose to live, work, and visit. The Mobility Element focuses on public transit, bicycle, and pedestrian transportation in addition to motor

Table 3-2 in the DEIR
***Burbank2035* Development Capacity**

Land Use Designation	Acres (Approximate)	Dwelling Units (2035)	Population (2035)	Non-Residential Square Feet (2035)
Low Density Residential	3,175	18,476	42,867	210,483
Medium Density Residential	426	13,997	32,475	
High Density Residential	370	13,754	31,911	
Corridor Commercial	262	300	696	5,625,193
Regional Commercial	206	0	0	4,643,665
Downtown	126	2,091	4,851	5,929,956
South San Fernando	106	566	1,313	3,246,131
North Victory	135	483	1,121	3,549,567
Media District	301	552	1,281	16,218,091
Rancho Commercial	58	0	0	1,046,450
Golden State	334	0	0	7,530,222
Open Space	2,677	0	0	246,500
Institutional	382	0	0	3,556,417
Airport	436	0	0	217,000
Undesignated Right-of-Way	1,972	0	0	0
Total (2035)	**10,966**	**50,219**	**116,516**	**52,019,676**
Existing (2010) Totals	10,966	44,309	103,340	39,971,550
Change, 2010-2035	**0**	**+5,910**	**+13,176**	**+12,048,126**

Notes:
[1] 2010 dwelling units and population from US Census (2010)
[2] 2035 population estimate based on 2010 Census data of 2.45 persons per household and 5.3% vacancy

vehicles. The Mobility Element describes each component of the city's transportation system and presents future enhancements to the system that advance the following Mobility Element goals:

- **Balance** - Burbank's transportation system ensures economic vitality while preserving neighborhood character.
- **Sustainability** - Burbank's transportation system will adapt to changing mobility and accessibility needs without sacrificing today's community values.
- **Complete Streets** - Burbank's complete streets will meet all mobility needs and improve community health.

- **Transit** - Burbank's convenient, efficient public transit network provides a viable alternative to the automobile.

- **Bicycle and Pedestrian Mobility** - Burbank fosters pedestrian and bicycle travel as healthy, environmentally sound methods to reduce vehicle trips and improve community character.

- **Neighborhood Protection** - Burbank's transportation infrastructure minimizes cut-through traffic in residential and commercial neighborhoods to maintain neighborhood quality of life.

- **Parking** - Burbank's public and private parking facilities are well managed and convenient.

- **Transportation Demand Management** - Burbank manages transportation resources to minimize congestion.

- **Safety, Accessibility, Equity** - Burbank's transportation network is safe, accessible, and equitable.

Each goal is supported by policies in the Mobility Element and implementation programs in the Plan Realization Element describing how the goals will be achieved. The key implementation programs for the Mobility Element include a 25-year infrastructure blueprint, establishment of multiple Transportation Management Districts, an update to the City's Bicycle Master Plan, preparation of a Pedestrian Master Plan, preparation of Complete Streets guidelines, and future establishment of a multi-modal Level of Service (LOS) standard.

Street Classifications

Exhibit 3-5 in *Burbank2035* presents the *Burbank2035* Roadway Circulation Diagram, including the city's street hierarchy. Streets are not equal in function or in their service of different travel modes. Major arterial streets, like Olive Avenue or Hollywood Way, must effectively balance the needs of both automobiles and mass transit vehicles in order to keep drivers from using adjacent neighborhood streets to avoid traffic. Secondary arterial streets like Magnolia Boulevard must provide a greater balance to other modes. These streets must still accommodate vehicles and transit but, due to their neighborhood character, must give a greater priority to bicycles and pedestrians. Collector streets like Clark Avenue or Kenneth Road tip the balance even further from vehicle movement and instead support other modes and uses. Finally, local streets are mixed environments where all users interact, and the street space can be used for recreation or gathering.

For each street type, the Mobility Element provides a definition and design guidelines that illustrate how the street space is divided among roadway, sidewalk, parkway, and other modes. The classifications provide design guidance, priorities, and requirements for each street type. These are considered *general* guidelines for street corridors,, and specific circumstances and planning activities may be used to define a street at any given location.

Burbank is a built-out city. As such, limited opportunities exist to expand the street network. The City must carefully plan available rights-of-way to accommodate all users. The Mobility Element proposes very little road widening for vehicles. If available, additional rights-of-way are better used to widen sidewalks or provide better transit connections than to construct additional vehicle travel lanes.

Level of Service Standards

To evaluate the ability of the circulation system to serve residents and businesses in Burbank, performance criteria are required. Level of Service (LOS) is a qualitative measure that characterizes traffic congestion on a scale of A to F, with LOS A representing a free-flow condition and LOS F representing extreme congestion. LOS standards can apply to either intersections or links (a section of street between two intersections). Generally, LOS represents the ability of a roadway or an intersection to accommodate traffic.

Various LOS policy standards have been established to evaluate observed traffic conditions, future development plans, and circulation system modifications. Generally, traffic impact mitigation focuses on intersection

performance during the peak hour, because system performance is typically a function of intersection performance. At the local level, the City of Burbank has established LOS D as the lowest acceptable LOS for signalized intersection movements during the peak hour. At the regional planning level, highways and roadways designated in Los Angeles County's Congestion Management Plan (CMP) network are required to operate at LOS E, except where existing LOS is worse than LOS E. In such cases, the existing LOS is the standard. All of the freeway segments in Burbank along I-5 and SR 134 are part of the CMP network. The City recognizes that the current LOS D performance measure accounts for vehicle mobility, and does not necessarily measure the number of people using transit or alternative travel modes.

NOISE ELEMENT

The Noise Element describes the existing noise environment in Burbank, identifies noise sources and problems affecting community safety and comfort, and establishes policies and programs that limit community exposure to excessive noise levels. The Noise Element sets standards for acceptable noise levels for various land uses and provides guidance for how to balance the noise created by an active and economically healthy community with the community's desire for peace and quiet.

As Burbank and surrounding communities continue to grow, transportation and stationary-source noise levels will increase. The City will continue to reduce the negative effects of noise throughout the community, while recognizing that noise is essential to Burbank's economic prosperity. The City seeks ways to safeguard the community from excessive noise as the ambient noise level in the community rises. The Noise Element describes the means to reduce the negative effects of noise in Burbank through implementation of the following goals:

- **Noise-Compatible Land Uses** - Burbank's diverse land use pattern is compatible with current and future noise levels.
- **Noise in Mixed-Use Development** - Noise from commercial activity is reduced in residential portions of mixed-use projects.
- **Vehicular Traffic Noise** - Burbank's vehicular transportation network reduces noise levels affecting sensitive land uses.
- **Train Noise** - Burbank's train service network reduces noise levels affecting residential areas and noise-sensitive land uses.
- **Aircraft Noise** - Burbank achieves compatibility between airport-generated noise and adjacent land uses and reduces aircraft noise effects on residential areas and noise-sensitive land uses.
- **Industrial Noise** - Noise generated by industrial activities is reduced in residential areas and at noise-sensitive land uses.
- **Construction, Maintenance, and Nuisance Noise** - Construction, maintenance, and nuisance noise is reduced in residential areas and at noise-sensitive land uses.

Each goal is supported by policies in the Noise Element and implementation programs in the Plan Realization Element describing how the goals will be achieved. The key implementation programs for the Noise Element include a comprehensive revision to the City's Noise Control Ordinance, and development of noise impact analysis guidelines describing thresholds for preparation of acoustical studies for future projects and the desired procedures and format for such studies.

Noise Standards

The Noise Element establishes noise and land use compatibility standards that rate compatibility using the terms normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable. The City has established interior and exterior noise standards. Noise exposure limits for land use compatibility are generally established as 60 dBA CNEL/Ldn for exterior spaces in most sensitive land use designations (e.g., nursing homes, hospitals). Higher exterior noise levels (65 dBA CNEL/Ldn) are permitted for single-family and multiple-family housing and housing in mixed-use contexts. These standards also establish maximum interior noise levels for new residential development, requiring that sufficient insulation be provided to reduce interior ambient noise levels to 45 dBA CNEL/Ldn.

OPEN SPACE AND CONSERVATION ELEMENT

Burbank's natural environment and abundant open spaces are unique assets to the community that have become an essential component of quality of life for residents, businesses, and visitors. The Open Space and Conservation Element describes the conservation, development, and use of natural resources and addresses Burbank's parks and recreation opportunities. The element also addresses preservation of renewable and non-renewable natural resources; managed production of resources, such as energy and groundwater; outdoor recreation; and trail-oriented recreation.

Burbank is a place where community sustainability is embraced and implemented. City parks and open spaces will contribute to sustainability by providing areas that enhance air and stormwater quality, improve public and individual health, and sustain a high quality of life. Looking forward, there are challenges to be addressed. High land costs make it difficult to introduce parks and open space into areas that have previously been built out. The increased diversity of the community requires the provision of a variety of programs and services to meet the needs of all people. Ongoing maintenance of parks, open space, and recreation facilities and the services to be provided by the City have to be balanced with an economic climate that demands fiscal conservation. Even with these challenges, the City is moving forward not only to provide areas that improve the livability of Burbank, but also to improve the community's health and its sustainability for future generations through implementation of the following goals:

- **Resource Management** - The public is involved in preserving open space, conserving resources, and improving the natural environment.
- **Parks, Open Space, and Recreation Facilities** - Parks, open space and recreation facilities contribute to the high quality of life enjoyed by Burbank residents and the economic value of the community.
- **Parks and Recreation Facilities Maintenance** - Parks and recreation facilities are improved and maintained to ensure they meet the needs of the community.
- **Recreation Programs** – Burbank provides a variety of recreation opportunities that meet the needs of all members of the community.
- **Creation of a Comprehensive Trails Network** - Parks, trails, and open spaces are connected within the city and to regional open spaces.
- **Open Space Resources** - Burbank's open space areas and mountain ranges are protected spaces supporting important habitat, recreation, and resource conservation.
- **Visual and Aesthetic Resources** - Prominent ridgelines and slopes are protected as visual resources.
- **Biological Resources** - Burbank's high-quality natural biological communities are sustained.

- **Water Resources** - Adequate sources of high-quality water provide for various uses within Burbank.

- **Energy Resources** - Burbank conserves energy, uses alternative energy sources, and promotes sustainable energy practices that reduce pollution and fossil fuel consumption.

Each goal is supported by policies in the Open Space and Conservation Element and implementation programs in the Plan Realization Element describing how the goals will be achieved. The key implementation programs for the Open Space and Conservation Element include development of a Park, Recreation, and Community Services Master Plan and establishing standards for the provision and acquisition of parkland.

Parkland Standards

The Open Space and Conservation Element establishes a citywide parkland level of service goal of 5 acres of improved parkland per 1,000 residents. The element also establishes a requirement applicable to new development of 3 acres of new parkland per 1,000 new residents, which is intended to correct existing parkland deficiencies as new development and redevelopment occur.

SAFETY ELEMENT

The Safety Element identifies areas prone to natural hazards and potentially hazardous conditions throughout Burbank, such as: seismically induced conditions including ground shaking, surface rupture from earthquakes, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other geologic hazards; flooding; wildland and urban fires; hazardous materials; and evacuation routes. The element also identifies Burbank's plans for preparing for health and safety hazards, including police protection, fire protection, emergency response and preparedness, and airport safety. The following Safety Element goals provide Burbank with a framework for keeping residents, businesses, and visitors safe from natural and human hazards:

- **Emergency Response and Preparation** - Burbank is prepared to respond to emergency situations.

- **Police Protection** - Burbank provides high-quality police protection services to residents and visitors.

- **Crime Prevention** - Burbank is protected from the threat of civil disturbances and terrorism and is prepared to achieve and maintain a safe and secure environment to reduce the number of lives lost, injuries, and amount of property damage.

- **Fire Protection** - Burbank provides high-quality fire protection services to residents and visitors. Threats to public safety are reduced and property is protected from wildland and urban fire hazards.

- **Seismic Safety** - Injuries and loss of life are prevented, critical facilities function, and property loss and damage is minimized during seismic events.

- **Flood Safety** - Potential risks—such as injury, loss of life and property, and economic and social disruption—caused by flood and inundation are minimized.

- **Airport Hazards** - Threats to public safety, lives, and property resulting from an airport-related incident are reduced.

- **Hazardous Materials** - Hazardous materials threats to public health and safety are reduced.

In addition, the City's All-Hazard Mitigation Plan is incorporated within the Safety Element by reference. Each goal is supported by policies in the Safety Element and implementation programs in the Plan Realization Element

describing how the goals will be achieved. The key implementation programs for the Safety Element include regular five-year updates to the City's All-Hazard Mitigation Plan and Multi-Hazard Functional Plan.

Response Time Standards

Safety Element policies establish response time standards for police protection and fire protection. Specifically, Policy 2.1 establishes an average police response time standard of less than four minutes to emergency calls for service. Similarly, Policy 4.1 establishes a maximum response time of five minutes for fire suppression services.

1.4.2 PLAN REALIZATION ELEMENT

The Plan Realization Element presents implementation programs that will guide the City's elected officials, commission and committee members, staff, and the public in the overall effort to put adopted *Burbank2035* goals and policies into practice. The purpose of the implementation programs is to ensure that the overall direction set forth in the General Plan is translated from general ideas to actions. Each implementation program is a procedure, program, or technique that requires City action, either alone or in collaboration with non-City organizations or with federal and state agencies. Some of the implementation programs are processes or procedures the City currently administers on a day-to-day basis (such as review of development projects). Other implementation programs require new programs or projects. Completion of each of the identified programs is subject to funding availability.

Implementation programs for each of the *Burbank2035* elements are intended for use as the basis for preparing the Annual Report to the City Council on the status of the City's progress in implementing the General Plan, as described in Section 65400 of the Government Code. Because many of the individual actions and programs also act as mitigation for environmental impacts resulting from planned development in accordance with *Burbank2035*, the Annual Report can also provide a means of monitoring application of mitigation measures specified in this EIR, as required by Public Resources Code Section 21081.6.

1.4.3 GREENHOUSE GAS REDUCTION PLAN

The GGRP proposes emissions reduction measures and actions to describe how the City will assist the State in fulfilling its obligations under Assembly Bill (AB) 32. The City is adopting the GGRP as an implementing action for *Burbank2035* to meet the goals and implement the policies set forth in the Air Quality and Climate Change Element. The GGRP describes measures intended to reduce greenhouse gas (GHG) emissions within City operations and the community at-large. The City's approach to addressing GHG emission reductions includes:

- completing a baseline GHG emissions inventory and projecting future emissions;
- identifying a communitywide GHG reduction target;
- preparing a GHG reduction plan to identify strategies and measures to meet the reduction target;
- identifying targets and reduction strategies in the Draft General Plan and evaluating the environmental impacts of the GGRP in the General Plan EIR; and
- monitoring effectiveness of reduction measures and adapting the plan to changing conditions.

The baseline inventory in the GGRP indicates that the Burbank community released 1,992,162 metric tons of carbon dioxide equivalent (MT CO_2e) emissions in 2010. As noted above, Air Quality and Climate Change Element Policy 3.1 establishes a binding, enforceable reduction target to reduce communitywide GHG emissions within Burbank by at least 15% from current (2010) levels by 2020. Similarly, Air Quality and Climate Change Element Policy 3.2 establishes a goal to reduce communitywide GHG emissions by at least 30% from current

(2010) levels by 2035. Combined with statewide reductions anticipated with implementation of statewide emission reduction measures in Burbank, communitywide strategies and measures recommended in the GGRP can collectively reduce GHG emissions by approximately 414,347 MT CO_2e emissions per year (equivalent to a 14.1% reduction below 2010 levels) by 2020, and by approximately 572,292 MT CO_2e emissions per year (equivalent to a 7.6% reduction below 2010 levels) by 2035.

GHG reduction measures in the GGRP are grouped within five action areas – energy, transportation, water, waste, and municipal. The GHG reduction measures were developed (a) by evaluating existing community conditions, (b) by identifying emissions reduction opportunities within the city, (c) by reviewing best practices from other jurisdictions and organizations, (d) through community participation in development of the plan, and (e) by incorporating state and regional laws, guidelines, and recommendations. The recommended GGRP measures are grounded in actions directly influenced by the City and rely on community participation.

The GGRP includes both primary and supporting measures. Primary measures generate directly attributable GHG reductions based on current technology, empirical studies and available data. The GGRP recommends 18 primary measures. A number of supporting measures are also included. These measures are not quantifiable at this time, but they facilitate and support the reduction potential of the primary measures. Table 3-3 on page 3-22 of the DEIR presents the estimated reduction potential of the recommended GGRP strategies and statewide reductions.

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2 FINDINGS REQUIRED UNDER CEQA

2.1 PROCEDURAL FINDINGS

The City Council of the City of Burbank finds as follows:

Based on the nature and scope of *Burbank2035*, SCH #2010021004, (herein after the "project"), the City of Burbank Planning Department determined, based on substantial evidence, that the project may have a significant effect on the environment and prepared a program environmental impact report ("EIR") for the project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code Sections 21000 et seq. ("CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et. seq.), as follows:

A. A Notice of Preparation ("NOP") of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and was circulated for public comments from February 1, 2010 through March 2, 2010.

B. A Notice of Completion ("NOC") and copies of the Draft EIR were distributed to the Office of Planning and Research on July 30, 2012, to those public agencies that have jurisdiction by law with respect to the project, or which exercise authority over resources that may be affected by the project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought. The City sought input on the Draft EIR between July 30, 2012 and September 13, 2012.

C. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on July 30, 2012 and ended on September 13, 2012.

D. A Notice of Availability ("NOA") of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on July 30, 2012. The NOA stated that the City has completed the Draft EIR and that copies were available at www.burbank2035.com, the City of Burbank Community Services Building at 150 N. Third Street in Burbank, the City of Burbank City Clerk's office, all branches of the Burbank Public Library, the Joslyn Senior Center, Tuttle Senior Center, the Burbank Chamber of Commerce and the Burbank Association of Realtors.

E. A public notice was posted in the office of the Los Angeles County Clerk on July 30, 2012.

F. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

2.2 RECORD OF PROCEEDINGS

For purposes of CEQA and these findings, the record before the City includes the following:

1. The DEIR and all appendices to the DEIR;

2. The FEIR and all appendices to the FEIR;

3. All notices required by CEQA, staff reports, and presentation materials related to *Burbank2035*;

4. All studies conducted for *Burbank2035* and contained in, or referenced by, staff reports, the DEIR, or the FEIR;

5. All public reports and documents related to *Burbank2035* prepared for the City and other agencies;

6. All documentary and oral evidence received and reviewed at public hearings, study sessions, and workshops and all transcripts and minutes of those hearings related to *Burbank2035*, the DEIR, and the FEIR;

7. For documentary and informational purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs, and other documentation relevant to planned growth in the area; and

8. Any additional items not included above if otherwise required by law.

The Final EIR is incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project in spite of the potential for associated significant and unavoidable adverse impacts.

2.3 FINDINGS

Burbank2035 is substantially self-mitigating through the inclusion of environmentally beneficial goals, policies, and actions. Some components of *Burbank2035* will be required through the development approval process, while other parts will be implemented through public investments or other proactive programs undertaken by the City during the planning horizon of *Burbank2035*. For the purposes of these findings, the impact discussions include the relevant policies and actions, as well as the separate mitigation measures imposed to reduce the impacts where the policies did not result in a less-than-significant impact. In the findings that follow, impact numbers are provided. The impact numbers correspond to sections of the EIR which contain an expanded discussion of impacts. Please refer to the referenced impact sections of the EIR for more detail.

2.3.1 SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The following impacts of the project are reduced to a less-than-significant level through the implementation of policies and actions in *Burbank2035* or separate mitigation measures and are set out below. Pursuant to California Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), as to each impact, the City of Burbank City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the project by means of conditions or otherwise, mitigate, avoid, or substantially lessen to a level of insignificance these environmental impacts of the project. Some changes or alterations are incorporated into the project by means of policies and actions contained in *Burbank2035*. In other cases, the City has provided separate mitigation measures, as needed, to address potentially significant impacts. The basis for the finding for each impact is set forth below.

The section numbering used in the summary of findings below are the same used in the *Burbank2035* EIR. In addition to the supporting information presented below, please refer to the EIR, under separate cover, for greater detail.

AESTHETICS

IMPACT 4.1-3 **Include Sunlight-blocking Structures.** *Adoption and implementation of Burbank2035 would include new development in the planning area that could include sunlight-blocking structures near shadow-sensitive uses. This impact is considered* ***potentially significant****.*

Mitigation Measures

Mitigation Measure 4.1-3: *The City of Burbank shall modify Program LU-1 by adding the following measures to address the potential for new structures to cause shadow impacts on shadow-sensitive uses:*

- *Require a shadow analysis for new structures proposed over 70 feet in height that would be adjacent to a shadow-sensitive public use such as, but not limited to, a park, pedestrian-oriented outdoor space, or restaurant with outdoor seating area.*

- *Establish standards to ensure new development over 70 feet in height does not shade shadow-sensitive uses for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October). Standards could include building spacing, building orientation, or step-backs.*

Finding

Implementing *Burbank2035* policies and actions, along with the mitigation measure listed above, is expected to reduce significant impacts from development projects with buildings greater than 70 feet in height to a **less-than-significant** level by requiring disclosure of potential shadows and shadow minimization on a project-by-project basis.

GREENHOUSE GAS EMISSIONS

IMPACT 4.4-1 **Generation of Short-Term Construction Greenhouse Gas Emissions.** *Adoption and implementation of Burbank2035 would result in new development and redevelopment of property throughout the planning area, which would result in GHG emissions from construction activities that would contribute to the cumulative effect of climate change. Although implementation of Burbank2035 and the GGRP would reduce construction-related GHG emissions, construction emissions of any individual project pursuant to Burbank2035 could potentially exceed SCAQMD's proposed operational thresholds. Burbank2035's contribution is cumulatively considerable, and the impact is considered* ***potentially significant.***

Mitigation Measures

Mitigation Measure 4.4-1a: *To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction.*

The project applicant(s) for any particular discretionary project may submit a report to the City that substantiates why specific measures are considered infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

The recommended measures for reducing construction-related GHG emissions at the time of writing this EIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:

- *Improve fuel efficiency of construction equipment:*

    - *reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);*
    - *perform equipment maintenance (inspections, detect failures early, corrections);*
    - *train equipment operators in proper use of equipment;*
    - *use the proper size of equipment for the job; and*
    - *use equipment with new technologies (repowered engines, electric drive trains).*

- *Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.*

- *Use an ARB-approved low-carbon fuel for construction equipment. Emissions of NOX from the use of low carbon fuel must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program.*

- *Reduce electricity use in the construction offices by using best-available technology and replacing heating and cooling units with more efficient ones.*

- *Recycle or salvage nonhazardous construction and demolition debris.*

- *Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).*

- *Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.*

Mitigation Measure 4.4-1b: *As a part of a contractor demolition package, require compliance with the City of Burbank Construction and Demolition Ordinance. Work with contractors to share best practices on building recycling and reuse and demolition techniques to minimize waste, dust generation, water and energy use and other impacts of construction and demolition work.*

Mitigation Measure 4.4-1c: *Upgrade the BMC to incorporate California Green Building Standards Code requirements on a regular and timely manner as mainline construction practices develop and new materials and building products become available, with the goal of meeting the state's Net Zero Energy goals by 2020.*

Finding

Implementing *Burbank2035* policies and actions, along with the additional mitigation measures, is expected to reduce significant impacts of short-term construction greenhouse gas emissions to a **less-than-significant** level by requiring project-specific measures to reduce construction-generated GHG emissions, recycling or salvage of debris for demolition work, and update of the City's building code to incorporate the California Green Building Standards Code to help meet the state's Net Zero Energy goals by 2020.

CULTURAL RESOURCES

IMPACT 4.6-4 ***Impacts to Unique Paleontological Resources.*** *Earthmoving and excavation activities associated with implementation of Burbank2035 could damage previously unknown unique paleontological resources. This impact would be* ***potentially significant****.*

Mitigation Measures

Mitigation Measure 4.6-4: *The City of Burbank shall modify* Burbank2035 *Implementation Program OSC-7 by adding the following bullet item:*

- *If paleontological resources are discovered during earthmoving activities associated with future development projects, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan shall include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.*

Finding

Implementation of Mitigation Measure 4.6-4 would reduce paleontological resources impacts by requiring that fossil specimens be recovered and recorded and undergo appropriate curation, in the event that resources are encountered. Therefore, with implementation of Mitigation Measure 4.6-4, impacts to unique paleontological resources would be **less than significant**.

IMPACT 4.6-5 **Cumulative Effects on Historical Resources.** *Adoption and implementation of Burbank2035 in addition to anticipated future development in Burbank, Glendale, and Universal City could cause a substantial change in the significance of historical resources as defined in CEQA Guidelines Section 15064.5. The loss of some historical resources may be prevented through implementation of Burbank2035 policies, the City of Burbank's Historic Resource Management Ordinance, and preservation policies in other communities. However, this would not ensure that these resources can be protected and preserved. This impact is considered* ***potentially significant****.*

Mitigation Measures

Mitigation Measure 4.6-5: *Implement Mitigation Measure 4.6-1.*

Mitigation Measure 4.6-1: *The City of Burbank shall modify* Burbank2035 *Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources:*

Program LU-4: Historic Preservation ~~Plan~~

To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:

- *Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. ~~and revise as appropriate.~~*

- *Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis.*

- *Periodically review and revise the H~~h~~istoric R~~r~~esource M~~m~~anagement O~~o~~rdinance and preservation incentives to account for new resources as they are identified.*

- ~~*Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009).*~~

- *Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance.*

- *Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries.*

Agency/Department: *Community Development Department*
Funding Source: *Grant funds, general fund*
Time Frame: *Ongoing; ~~identify historic districts within five (5) years of~~* Burbank2035 *~~adoption;~~ historic resource list updates every five (5) years*

Finding

The Burbank Historic Resource Management Ordinance affords protections to formally Designated Historic Resources through project review by the Heritage Commission and establishment of protective covenants. Implementation of Mitigation Measure 4.6-1 above would reduce impacts to historical resources to a less-than-significant level by requiring the City to establish a local list of Eligible Historic Resources and to update this list every five (5) years to identify as-yet-unknown historical resources. Furthermore, Mitigation Measure 4.6-1 would require evaluation by a qualified architectural historian for discretionary projects involving buildings constructed more than 45 years prior to the project application, and would require compliance with the Historic Resource Management Ordinance for as-yet-unknown historical resources that would be adversely affected by a proposed project. With implementation of Mitigation Measure 4.6-1, *Burbank2035*'s contribution would not be considerable, and the impact would be **less than significant**.

IMPACT 4.6-6 **Cumulative Effects on Archaeological Resources.** *Adoption and implementation of Burbank2035 in addition to anticipated future development in Burbank, Glendale, and Universal City could cause a substantial change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5. The loss of some archaeological resources may be prevented through implementation of Burbank2035 policies and similar policies in other communities. However, this would not ensure that these resources can be protected and preserved. This impact is considered* ***potentially significant****.*

Mitigation Measures

Mitigation Measure 4.6-6: *Implement Mitigation Measure 4.6-1.*

Mitigation Measure 4.6-1: *The City of Burbank shall modify* Burbank2035 *Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources:*

Program LU-4: Historic Preservation ~~Plan~~

To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:

- *Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. ~~and revise as appropriate.~~*

- *Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA*

Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis.

- *Periodically review and revise the Hhistoric Rresource Mmanagement Oordinance and preservation incentives to account for new resources as they are identified.*

- ~~*Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009).*~~

- *Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance.*

- *Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries.*

Agency/Department: *Community Development Department*
Funding Source: *Grant funds, general fund*
Time Frame: *Ongoing; ~~identify historic districts within five (5) years of~~ Burbank2035 ~~adoption;~~ historic resource list updates every five (5) years*

Finding

Though archaeological resources can sometimes be protected when discovered during excavation, there is no way to ensure that all such resources can be protected and preserved. Implementation of Mitigation Measure 4.6-1 above would require assessment by a qualified archeologist for discretionary projects in the City of Burbank involving ground-disturbing activities on previously undisturbed land, and would require preparation and implementation of a treatment plan if buried resources would be affected by a proposed project in the city. Impacts to as-yet-unknown archeological resources discovered in the city would be mitigated. Therefore, with implementation of Mitigation Measure 4.6-1, *Burbank2035*'s contribution would not be considerable, and the impact would be **less than significant**.

IMPACT 4.6-8 **Cumulative Effects on Paleontological Resources.** *Ground disturbance, earthmoving and excavation activities associated with implementation of Burbank2035 combined with construction activities in Burbank, Glendale, and Universal City could damage previously unknown unique paleontological resources. This impact is considered* ***significant****.*

Mitigation Measures

Mitigation Measure 4.6-8: *Implement Mitigation Measure 4.6-4.*

Mitigation Measure 4.6-4: *The City of Burbank shall modify* Burbank2035 *Implementation Program OSC-7 by adding the following bullet item:*

- *If paleontological resources are discovered during earthmoving activities associated with future development projects, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan shall include, but is not limited to, a field survey,*

construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

Finding

Ground disturbance, earthmoving and excavation activities associated with new infill development on vacant property, extension of infrastructure, and redevelopment or revitalization of underutilized properties are anticipated with implementation of *Burbank2035*. As discussed above, Mitigation Measure 4.6-4 would reduce paleontological resources impacts by requiring that fossil specimens be recovered and recorded and undergo appropriate curation, in the event that resources are encountered during construction activities in the City of Burbank. With implementation of Mitigation Measure 4.6-4, *Burbank2035's* contribution to significant cumulative paleontological resources impacts would not be considerable, and the impact would be **less than significant**.

TRANSPORTATION

IMPACT 4.16-1 **LOS D Performance Standard.** *Adoption and implementation of Burbank2035 would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard. This would be a* ***significant*** *impact.*

Mitigation Measures

Mitigation Measure 4.16-1a. *The City of Burbank shall complete implementation of the Citywide Signal Control System (CSCS) and apply signal optimization at all the 35 key intersections identified in the Transportation Analysis Report.*

Mitigation Measure 4.16-1b. *The City of Burbank shall implement the following intersection improvements:*

- *Hollywood Way and Thornton Avenue (Intersection #2). Provide one exclusive left-turn lane, two through lanes, and one shared through/right-turn lane on northbound and southbound approaches. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Hollywood Way and Verdugo Avenue (Intersection #6). Provide a second exclusive left-turn lane, two through lanes, and a new exclusive right-turn lane in the southbound approach. Modify signal phasing on the southbound approach from permitted to protected. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Pass Avenue and Olive Avenue (Intersection #9). Widen the eastbound approach to provide two exclusive left-turn lanes and three through lanes. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed. This improvement has been previously identified as a mitigation measure in the Warner Brothers Studio Master Plan and improvements comply with the goals and policies of Burbank2035.*

- *Buena Vista Street and San Fernando Boulevard (Intersection #16). Restripe the eastbound approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The existing right-of-way on San Fernando Boulevard is 70 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.This mitigation should be completed concurrently with the railroad grade separation at Buena Vista Street.*

- *Buena Vista Street and Olive Avenue (Intersection #22). Reconfigure the eastbound approaches to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Modify signal phasing on the eastbound*

and westbound approached from protected/permitted to protected. Restrict parking along the westbound approach for 100 feet. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.

- *Victory Boulevard and Olive Avenue (Intersection #27). Restripe the southbound, westbound and eastbound approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lanes. Modify signal phasing on the southbound, eastbound and westbound approaches from protected/permitted to protected. The existing right-of-way approach is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

Finding

The City of Burbank is currently in the process of implementing a CSCS consistent with Mobility Element Policy 1.6. Application of the CSCS would improve the function of the entire circulation network, including improvements to intersection LOS. CSCS functionality was not accounted for in the existing conditions LOS presented in Table 4.16-2 in the DEIR, or the 2035 analysis presented in Table 4.16-5 in the DEIR, because the system has not been completed or fully implemented.

Signal optimization resulting from implementation of Mitigation Measure 4.16-1a would improve intersections #12, 17, and 19 to LOS D. Implementation of the improvements identified in Mitigation Measure 4.16-1b would improve functionality of the intersections to meet the LOS D standard. These improvements are consistent with Mobility Element Policies 1.2, 1.4, 1.5, 2.3, 3.2, 3.3, 3.5 and 5.5. Table 4.16-9 (pages 4.16-26 and 4.16-27 of the DEIR) and Exhibit 4.16-7 (page 4.16-28 of the DEIR) present LOS for each intersection after implementation of Mitigation Measures 4.16-1a and 4.16-1b.

Impacts at nine intersections (intersections #2, 6, 9, 12, 16, 17, 19, 22, and 27) would be reduced to a **less-than-significant** level with implementation of Mitigation Measures 4.16-1a and 4.16-1b.

IMPACT 4.16-7 **Cumulative LOS D Performance Standard.** *Adoption and implementation of Burbank2035 would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard under cumulative conditions. Burbank2035's contribution would be considerable, and this would be a* ***significant*** *cumulative impact.*

Mitigation Measures

Mitigation Measure 4.16-7. *Implement Mitigation Measures 4.16-1a and 4.16-1b.*

Mitigation Measure 4.16-1a. *The City of Burbank shall complete implementation of the Citywide Signal Control System (CSCS) and apply signal optimization at all the 35 key intersections identified in the Transportation Analysis Report.*

The City of Burbank is currently in the process of implementing a CSCS consistent with Mobility Element Policy 1.6. Application of the CSCS would improve the function of the entire circulation network, including improvements to intersection LOS. CSCS functionality was not accounted for in the existing conditions LOS presented in Table 4.16-2 in the DEIR, or the 2035 analysis presented in Table 4.16-5 in the DEIR, because the system has not been completed or fully implemented.

Mitigation Measure 4.16-1b. *The City of Burbank shall implement the following intersection improvements:*

- *Hollywood Way and Thornton Avenue (Intersection #2). Provide one exclusive left-turn lane, two through lanes, and one shared through/right-turn lane on northbound and southbound approaches. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Hollywood Way and Verdugo Avenue (Intersection #6). Provide a second exclusive left-turn lane, two through lanes, and a new exclusive right-turn lane in the southbound approach. Modify signal phasing on the southbound approach from permitted to protected. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Pass Avenue and Olive Avenue (Intersection #9). Widen the eastbound approach to provide two exclusive left-turn lanes and three through lanes. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed. This improvement has been previously identified as a mitigation measure in the Warner Brothers Studio Master Plan and improvements comply with the goals and policies of Burbank2035.*

- *Buena Vista Street and San Fernando Boulevard (Intersection #16). Restripe the eastbound approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The existing right-of-way on San Fernando Boulevard is 70 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.This mitigation should be completed concurrently with the railroad grade separation at Buena Vista Street.*

- *Buena Vista Street and Olive Avenue (Intersection #22). Reconfigure the eastbound approaches to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Modify signal phasing on the eastbound and westbound approached from protected/permitted to protected. Restrict parking along the westbound approach for 100 feet. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Victory Boulevard and Olive Avenue (Intersection #27). Restripe the southbound, westbound and eastbound approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lanes. Modify signal phasing on the southbound, eastbound and westbound approaches from protected/permitted to protected. The existing right-of-way approach is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

Finding

Regional population and employment growth is anticipated to result in traffic volumes that would exceed acceptable levels of service at 16 signalized intersections, as discussed in Impact 4.16-1. This represents a significant cumulative impact. While *Burbank2035* includes various policies to reduce traffic demand and mitigation for roadway segments and intersections, traffic is anticipated to exceed level of service standards at these intersections. Therefore, *Burbank2035* would make a cumulatively considerable contribution to this **significant** impact.

Signal optimization resulting from implementation of Mitigation Measure 4.16-1a would improve intersections #12, 17, and 19 to LOS D. Implementation of the improvements identified in Mitigation Measure 4.16-1b would improve functionality of the intersections to meet the LOS D standard. These improvements are consistent with Mobility Element Policies 1.2, 1.4, 1.5, 2.3, 3.2, 3.3, 3.5 and 5.5. Table 4.16-9 (pages 4.16-26 and 4.16-27 of the DEIR) and Exhibit 4.16-7 (page 4.16-28 of the DEIR) present LOS for each intersection after implementation of Mitigation Measures 4.16-1a and 4.16-1b.

Impacts at nine intersections (intersections #2, 6, 9, 12, 16, 17, 19, 22, and 27) would be reduced to a **less-than-significant** level with implementation of Mitigation Measures 4.16-1a and 4.16-1b.

2.3.2 SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS FOR WHICH MITIGATION IS OUTSIDE THE CITY'S RESPONSIBILITY OR JURISDICTION

Measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts from the project are the responsibility and within the jurisdiction of another public agency rather than the City. Pursuant to California Public Resources Code Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2), the Burbank City Council, based on the evidence in the record before it, finds for each impact that implementation of these mitigation measures can and should be undertaken by another public agency. The City will request, but cannot compel, implementation of the identified mitigation measures described. The impact and mitigation measure and the facts supporting the determination that mitigation is within the responsibility and jurisdiction of another public agency, and not the City, are set forth below. Notwithstanding the disclosure of these impacts, the City Council elects to approve the project due to the overriding considerations set forth below in Section 3, the statement of overriding considerations.

NOISE

IMPACT 4.13-5 ***Exposure of Noise Sensitive Receptors to Aircraft Noise.*** *Burbank2035 implementation could result in increased exposure of sensitive receptors to aircraft generated noise. Burbank2035 policies and programs would reduce potential noise exposure, however because the location and operation of aircraft are beyond the City's jurisdiction, this impact would be* ***potentially significant.***

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Bob Hope Airport is located in the northwestern portion of the city. The airport was established in 1930 as a private field and is now owned and operated by the Burbank-Glendale-Pasadena Airport Authority (Authority). The airport is identified as a scheduled air carrier with a total size of 435 acres and contains 310 based aircraft (Los Angeles County ALUC 2004: 4, 13). Approximately 133,055 aircraft operations occurred in 2008, which equates to an average daily traffic count of 365 operations (Burbank-Glendale-Pasadena Airport Authority 2009: B-7).

Exhibit 14-2 on page 14-10 of the TBR shows the most recent noise contours (i.e., 65, 70, 75 dB CNEL) associated with Bob Hope Airport operations. Based on the 2008 baseline noise analysis, 255 acres of noise-sensitive land uses (e.g., residential, schools, places of worship) are located within the 65 dB CNEL contour. By 2015, the noise-sensitive area within the 65 dB CNEL contour is projected to increase to 383 acres. Additionally, an estimated 4,825 people currently reside within the 65 dB CNEL contour. This population is projected to increase to 8,217 in 2015 (Burbank-Glendale-Pasadena Airport Authority 2009: 4). As such, additional existing and future residents within the city could be exposed to noise levels in excess of city standards as a result of continued operation of the airport. This would be a **potentially significant** impact.

Burbank2035 Noise Element Policies 5.1 through 5.3 and Programs N-2, N-3, N-4, and N-8 are designed to prevent and mitigate sources of excessive noise, including aircraft operations. Guidance included in the *Burbank2035* will be applied at the project level as the City considers land use changes in the future. Development projects located within the Airport Influence Area will be required to mitigate according to *Burbank2035* policies, an updated Noise Control Ordinance, and Airport Land Use Plan guidelines through project design and site planning.

The airport is also governed by the Los Angeles Regional Planning Commission/Airport Land Use Commission's guidelines, which are intended to provide for reasonable, safe, and efficient use of the airport as a public

transportation facility and as a base for aviation and aviation-related operations. In addition, this guidance is intended to protect the environment from the effects of aircraft noise. *Burbank2035* itself, and potential land use development pursuant to *Burbank2035*, will be evaluated for compatibility with airport operations, using criteria set forth in the ALUC Procedural Policies contained in the Airport Land Use Compatibility document. As such, although implementation of *Burbank2035* would expose additional people residing or working the planning area to excessive aircraft noise levels, regulating the location and operation of aircraft is beyond the City's jurisdiction. Because the City cannot guarantee the full implementation of *Burbank2035*'s noise policies and programs, and because it is possible that people residing or working in the planning area could be exposed to excessive aircraft noise, mitigation of this potential impact to a less-than-significant level is infeasible, and this impact is considered **significant and unavoidable**.

2.3.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following significant and potentially significant environmental impacts of the project are unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impact. Notwithstanding the disclosure of these impacts, the City Council elects to approve the project due to overriding considerations as set forth below in Section 3, "Statement of Overriding Considerations".

AIR QUALITY

IMPACT 4.3-2 **Short-term Construction Emissions.** *Adoption and implementation of Burbank2035 would result in new development and redevelopment of property throughout the planning area, which would generate air quality emissions from short-term construction of planned land uses. Although adoption and implementation of Burbank2035 policies and programs and enforcement of current SCAQMD Rules and Regulations would help reduce short-term emissions; construction emissions would still result in a* ***potentially significant*** *impact.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

The SCAQMD has established quantitative daily thresholds of significance for construction emissions. Implementation of *Burbank2035* would result in construction emissions that would be evaluated using the SCAQMD thresholds of significance on a project-by-project basis. However, at the program level, it would be speculative to accurately model construction emissions associated with implementation of *Burbank2035* because it is unknown at this time what projects specifically would be constructed under *Burbank2035*, what construction equipment would be used for each project, and what construction phasing of each project would be. Therefore, construction air quality impacts are evaluated qualitatively.

Construction of *Burbank2035*'s proposed land uses would generate short-term criteria air pollutant and ozone precursor emissions from sources such as heavy-duty construction equipment, material delivery trucks, soil disturbance activities, construction worker vehicles, and architectural coatings, among other activities. Implementation of Mitigation Measure 4.3-2 would require cleaner construction equipment be used during construction activities. The daily amounts of pollutants generated would vary depending on the intensity of the construction activities and types of construction equipment used. Smaller projects with a more compact schedule, though they may involve less overall development, could generate daily emissions that exceed those of a large project with a drawn-out schedule. Therefore, it is difficult to estimate construction emissions by simply evaluating the number of units or square feet of space to be developed. However, it is likely that construction of some future projects pursuant to *Burbank2035* would generate short-term construction emissions that would exceed the SCAQMD's thresholds of significance.

A number of *Burbank2035* policies along with required SCAQMD Rules and Regulations would help reduce short-term construction emissions. All construction projects within the city would be subject to SCAQMD's Rule 403 (Fugitive Dust) to minimize fugitive particulate matter (PM) dust emissions during construction. In addition, as discussed above, Air Quality and Climate Change Element Policy 1.6 would require future projects to control emissions from all construction-related sources. Air Quality and Climate Change Element Policy 1.10 would give preference for City projects to companies that use sustainable operations. Furthermore, Air Quality and Climate Change Element Policy 1.5 would require potentially significant projects to incorporate best available air quality mitigation into project design.

Although SCAQMD would require compliance with Rule 403 and implementation of multiple *Burbank2035* policies would reduce construction emissions, it is still likely that a number of future projects will continue to generate emissions that exceed the SCAQMD construction thresholds of significance. Therefore, construction-related impacts would be **potentially significant**.

During the public comment period on the Draft EIR, SCAQMD recommended specific mitigation measures, including requiring use of 2010 and newer haul trucks, Tier 3 or higher emissions standards, and documentation of air quality certification for each vehicle used in construction efforts in the City of Burbank. The City does not consider the proposed mitigation actions to be feasible. The City can encourage the type of actions proposed in the comment, but market factors make the use of 2010 or newer diesel haul trucks difficult or impossible at the present time. Furthermore, most projects in the city require discretionary approval of some kind, and it is unclear what project approvals could be conditioned to require these mitigation actions. The City does not have the resources or mechanisms to enforce the proposed mitigation requirements – visual inspection of vehicles used in construction at each site is not feasible with existing staff and funding resources, and there is no mechanism or staff support for the City to verify that BACT documentation, and CARB or SCAQMD operating permits are provided for each vehicle.

No feasible mitigation beyond the methods for reducing impacts included as requirements under *Burbank2035* or by SCAQMD is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that emissions would occur at levels below the applicable significance thresholds, and therefore mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to construction emissions.

IMPACT 4.3-3 **Long-term Operational Emissions.** *Adoption and implementation of Burbank2035 would generate air quality emissions from long-term operation of planned land uses. Although adoption and implementation of Burbank2035 policies and programs and enforcement of current SCAQMD Rules and Regulations would help reduce long-term emissions, daily operational emissions from long-term operation of Burbank2035 would still result in a* ***potentially significant*** *impact.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Following buildout of the proposed land uses, long-term operational emissions would be generated from stationary, area, and mobile sources.

The daily operational area, energy, and mobile source emissions that would occur in *Burbank2035*'s full buildout year (2035) were modeled using CalEEMod (Version 2011.1.1) computer model and EMFAC2007. Table 4.3-1 in the DEIR, and reprinted here, summarizes the daily long-term operational emissions of criteria air pollutants and precursors.

Table 4.3-1 from the DEIR
Summary of Modeled Operational Emissions of Criteria Air Pollutants and Precursors

	Emissions (lbs/day)[1]				
	ROG	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Area Sources	8,034	293	20,799	2,679	2,678
Energy	65	566	309	45	45
Mobile Sources	816	3,312	14,423	628	434
Total Daily Operational Emissions	8,916	4,172	35,531	3,352	3,157
Project-Based SCAQMD Significance Threshold	***55***	***100***	***550***	***150***	***55***
Exceeds Project Threshold?	***Yes***	***Yes***	***Yes***	***Yes***	***Yes***

Notes:
SCAQMD = South Coast Air Quality Management District; lbs/day = pounds per day; CO = carbon monoxide; NOX = oxides of nitrogen; PM10 = particulate matter less than or equal to 10 microns in diameter; PM2.5 = particulate matter less than or equal to 2.5 microns in diameter; ROG = reactive organic gases.
1 Emissions modeled using the CalEEMod (Version 2011.1.1) computer model and EMFAC2007, based on daily vehicle miles traveled per speed bin, daily trips, and land uses obtained from the traffic analysis prepared for this project.
Note: The total emissions estimates shown are the highest values that would occur in the summer or winter season. Totals may not add up to individual values since the highest emissions for a pollutant from both area and mobile sources may not occur in the same season.
Refer to Appendix D for detailed assumptions and modeling output files.
SCAQMD's thresholds are established for individual projects, and are not readily applied to a 25-year program such as Burbank2035. Although the City will apply SCAQMD's thresholds to individual projects as they are brought forward, the total emissions in the City and the planning area will still exceed these project-based thresholds.
Source: Data modeled by AECOM in 2012

For most projects, people traveling in cars to and from the planning area would create most daily emissions. Heavy-commercial or industrial land uses are more likely to involve stationary sources, while retail and residential land uses would involve more area source emissions (e.g., natural gas water and space heating, consumer products, landscape maintenance). Similar to construction emissions, SCAQMD has developed daily thresholds of significance for operational activities. Project-level analysis of future projects would evaluate daily emissions against the SCAQMD operational thresholds of significance.

Burbank2035 includes numerous goals, policies, and programs that would impact future emissions associated with land use operations. Mobility Programs M-6 (Transit System), M-7 (Bicycle Master Plan and Pedestrian Master Plan), and M-10 (Transportation Demand Management) would provide new and existing land uses with higher accessibility to alternate modes of transportation and supporting amenities, some of which would be emissions-free (e.g., walking, biking). Therefore, implementation of *Burbank2035* would provide convenient alternatives to driving and reduce trip distances through infill development within the city. In addition, Mobility Element Policies 4.3 and 4.4 would use public transit to link employment and residential centers to provide realistic alternatives to single-occupancy vehicles for a variety of trip types (e.g., home to work, home to shopping). Mobility Element Policies 5.5 and 7.2 would require new development to add pedestrian infrastructure and limit parking to incentivize transit and alternate transit modes, respectively. Mobility Element Policies 3.2 and 3.3 would require that safe and convenient complete streets (i.e., designed for all modes of transportation) be implemented throughout the city and connect residential and amenities for feasible day-to-day use. Increasing bicycle mode share is a major goal to reduce mobile source emissions. Implementation of Mobility Element

Policies 5.2 and 5.3 would strategically expand the City's bicycle infrastructure to provide practical and safe connections between land uses. Therefore, *Burbank2035* would supply alternative modes of transportation through City infrastructure as well as provide incentives to maximize the effectiveness of these developments.

Although many *Burbank2035* goals, programs, and policies would reduce operational air quality emissions, total emissions associated with daily operational activities would continue to exceed the SCAQMD thresholds of significance, as shown in Table 4.3-1 in the DEIR. Therefore, *Burbank2035*'s operational emissions would be considered **potentially significant**.

All projects must comply with *Burbank2035* policies to minimize long-term operational emissions. These measures would ensure that projects are developed to maximize the use of alternative modes of transportation and encourage the use of non-vehicular transportation. However, even with the implementation of all *Burbank2035* policies, daily operational emissions associated with *Burbank2035* would continue to exceed the SCAQMD thresholds of significance.

No feasible mitigation beyond the methods for reducing impacts included as requirements under *Burbank2035* or by SCAQMD is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that emissions would occur at levels below the applicable significance thresholds. Thus, because it is impossible to permit new development and redevelopment without some air quality emissions, mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to operational emissions.

IMPACT 4.3-5 **Toxic Air Contaminants.** *Adoption and implementation of Burbank2035 would potentially generate additional diesel vehicle traffic and diesel stationary sources within the city. This impact is **potentially significant**.*

Mitigation Measures

Mitigation Measure 4.3-5: *The City of Burbank shall modify Burbank2035 Implementation Program AQCC-4 as follows to address the potential for TAC impacts:*

Program AQCC-4: Health Risk Assessments for Stationary and Mobile Sources

Require project proponents to prepare health risk assessments in accordance with SCAQMD-recommended procedures as part of environmental review when projects could have associated air emissions that have been designated by the State of California as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

Also require health risk assessments for projects that would place sensitive land uses near Bob Hope Airport, the UPRR rail line, or major freeways or arterials. (Major freeways, for these purposes, are ~~those that carry more than 50,000 vehicles per day~~ I-5 and SR 134.) ~~In general,~~ The City will apply the ARB Air Quality and Land Use Handbook for recommendations on siting distances for sensitive or noxious uses. Site-specific analysis may include dispersion modeling and/or a health risk assessment, consistent with applicable guidance from SCAQMD. If required to reduce potentially significant impacts, the City shall require the applicant to identify and incorporate feasible mitigation measures. Such measures could include, but are not limited to: including tiered plantings of trees to reduce particulate matter concentrations; installing air filtration systems to reduce ambient particulate matter concentrations, providing HVAC resource information, avoiding siting sensitive receptors in buildings with perchlorethylene drycleaners, and locating air intakes and windows to reduce particulate matter exposure.

Agency/Department: *Community Development Department*
Funding Source: *Development fees*
Time Frame: *Ongoing*

Finding

Implementation of *Burbank2035* would generate diesel particulate matter (diesel PM) emissions as a result of construction and operational activities. Construction activities would involve diesel-fueled construction equipment and potentially diesel-fueled on-site generators. Both construction and operational activities would include diesel-fueled vehicles for construction workers, material delivery, or commutes within the city. Diesel PM has been classified as a TAC by the ARB and therefore even acute exposure could have potential health impacts. Diesel PM emissions also result from operational activities such as diesel vehicles visiting and leaving from a land use, material delivery trucks, diesel emergency generators, and material handling equipment among others.

ARB's *Air Quality and Land Use Handbook: A Community Health Perspective* and *Burbank2035* both address the need to consider TAC sources and sensitive receptors when siting new land uses. The following policies address the need to protect sensitive receptors from TAC sources. Air Quality and Climate Change Element Policy 1.5 requires that large emitting facilities design and implement best available air quality (and greenhouse gas) mitigation into project design; Air Quality and Climate Change Element Policy 2.2 requires new land uses to consider keeping sensitive receptors and TAC sources separated using site planning and design features; and Air Quality and Climate Change Element Policy 2.5 requires the use of the ARB's *Air Quality and Land Use Handbook* when siting new sensitive receptors. Pursuant to these *Burbank2035* policies, new land uses that would include sensitive receptors located within the city would be sited and designed considering the surrounding TAC sources to avoid exposing sensitive receptors to substantial TAC concentration. In addition, new sources of TAC and or other criteria air pollutants would be mitigated to the maximum extent possible. Program AQCC-4 in the Plan Realization Element requires preparation of health risk assessments for new sensitive receptors located near major freeways or arterials, but does not address sensitive receptors near the UPRR rail line or Bob Hope Airport. Furthermore, mobile sources of TACs within the city would be reduced through various *Burbank2035* Mobility Element and Land Use Element policies. In addition, the policies described above in Impact 4.3-2 to reduce mobile source emissions and construction emissions would reduce diesel PM emissions from *Burbank2035* planned land uses.

Burbank2035 policies and programs would avoid siting new sensitive receptors within the highest risk areas within the planning area, and would require siting limitations and mitigation approaches consistent with ARB guidance. Nevertheless, *Burbank2035* continues to promote the placement of higher-density housing within corridors adjacent to sources of diesel PM, including the UPRR railroad, I-5, SR-134, and the Bob Hope Airport. These areas would remain subject to elevated health risks. Program AQCC-4 requires the preparation of health risk assessments for new sensitive receptors near major freeways and arterials, but does not address either the UPRR rail line or Bob Hope Airport. For the reasons described above, implementation of *Burbank2035* policies and actions would have no practical effect on reducing TACs at these locations. Therefore, absent mitigation, this impact would be **potentially significant**.

Implementation of Mitigation Measure 4.3-5 would reduce exposure of sensitive uses to substantial pollutant concentrations and lessen health-related risks associated with sources of diesel PM within the planning area. However, given the range of potential project types consistent with *Burbank2035* that could place sensitive receptors near Bob Hope Airport, the UPRR rail line, or major freeways or arterials and the range of mitigation strategies available following completion of a health risk assessment, it cannot be said with certainty at this time that application of mitigation measures would reduce impacts to a less-than-significant level. *Burbank2035* continues to promote the placement of higher-density housing within corridors adjacent to sources of diesel PM.

No feasible mitigation beyond the mitigation measure discussed above and policies included in *Burbank2035* is available to reduce this impact to a less-than-significant level because it is impossible for new development or

redevelopment to occur without emissions of toxic air contaminants. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, avoidance of toxic air contaminant concentrations in proximity of sensitive receptors to a less-than-significant level is not possible, while still allowing development and redevelopment as anticipated by *Burbank2035*. Because it is impossible to permit new development or redevelopment without some potential for exposure to toxic air contaminant emissions, mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to toxic air contaminants.

IMPACT 4.3-7 **Cumulative Construction Emissions.** *Adoption and implementation of Burbank2035 in addition to anticipated growth in the Basin would increase the amount of construction-related air quality emissions occurring within the Basin, thereby affecting the region's ability attain ambient air quality standards. Though implementation of Burbank2035 policies and programs would reduce these emissions, it is likely that construction-related air quality emissions would cause a cumulatively considerable contribution to regional air quality impacts. This would result in a* ***significant*** *cumulative impact.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Construction activities associated with implementation of *Burbank2035* would contribute to regional emissions of ozone precursors, PM_{10}, and $PM_{2.5}$, for which the Basin is nonattainment. As discussed in Impact 4.3-2, SCAQMD has developed rules and regulations that would reduce both ozone precursor and PM emissions from construction. Implementation of *Burbank2035* policies would further reduce the generation of ozone precursors and PM emissions from construction from current business-as-usual conditions. However, even with implementation of SCAQMD Rules and Regulations and *Burbank2035* policies, it is still likely that construction emissions for numerous proposed land uses would exceed SCAQMD thresholds of significance, which are considered the allowable limits for each project's construction emissions in order achieve and maintain ambient air quality standards. Therefore, *Burbank2035's* construction emissions would be cumulatively considerable, and this would be a **significant** cumulative impact.

Implementation of SCAQMD Rules and Regulations along with *Burbank2035* Air Quality and Climate Change Element policies would reduce construction emissions associated with proposed land uses. However, even with implementation of these best management practices and mitigation measures, it is still likely that some construction emissions would exceed SCAQMD's construction thresholds of significance. Therefore, *Burbank2035's* contribution to this impact would be cumulatively considerable.

No feasible mitigation beyond the methods for reducing impacts included as requirements under *Burbank2035* or by SCAQMD is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that emissions would occur at levels below the applicable significance thresholds, and therefore mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to construction emissions.

IMPACT 4.3-8 **Cumulative Operational Emissions.** *Adoption and implementation of Burbank2035 in addition to anticipated growth in the Basin would increase the amount of operational air quality emissions occurring within the Basin and affect the region's ability to attain ambient air quality standards. Though implementation of Burbank2035 policies and programs would reduce these emissions, it is likely that long-term operational air quality emissions would cause a cumulatively considerable contribution to regional air quality impacts. This would result in a* ***significant*** *cumulative impact.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Implementation of *Burbank2035* would generate long-term operational emissions from a variety of proposed land uses. Implementation of *Burbank2035* Air Quality and Climate Change, Mobility, and Land Use Element policies and programs would reduce mobile and area source emissions associated with operation of future land uses. Because these policies and programs affect a wide range of land use and transportation factors (e.g., accessibility to transit, parking availability, bicycle and pedestrian infrastructure, and distance from residential to commercial and employment uses), mobile source emissions could be substantially reduced. However, daily operational emissions associated with the proposed land uses could still exceed SCAQMD's operational thresholds of significance. In addition, as shown in Table 4.3-1 in the DEIR, daily operational emissions associated with *Burbank2035* land uses would exceed all SCAQMD thresholds of significance. Therefore, the proposed project's operational emissions would be cumulatively considerable, and this would be a **significant** cumulative impact.

Implementation of SCAQMD Rules and Regulations along with *Burbank2035* Air Quality and Climate Change policies would reduce operational emissions associated with proposed land uses. However, even with implementation of these policies, it is likely that some future projects could generate daily emissions that exceed the SCAQMD operational thresholds of significance. No feasible mitigation beyond the methods for reducing impacts included as requirements under *Burbank2035* or by SCAQMD is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that emissions would occur at levels below the applicable significance thresholds. Thus, because it is impossible to permit new development and redevelopment without some air quality emissions, mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to operational emissions.

CULTURAL RESOURCES

IMPACT 4.6-1 ***Substantial Change in the Significance of a Historical Resource.*** *Adoption and implementation of Burbank2035 could result in new development and redevelopment of property throughout the planning area, which could cause a substantial change in the significance of a historical resource as defined in State CEQA Guidelines Section 15064.5. Although implementation of Burbank2035 policies and programs would protect historical resources, this is considered a* ***potentially significant*** *impact.*

Mitigation Measures

Mitigation Measure 4.6-1: *The City of Burbank shall modify* Burbank2035 *Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources:*

Program LU-4: Historic Preservation ~~Plan~~

To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:

- *Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. ~~and revise as appropriate.~~*
- *Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis.*
- *Periodically review and revise the H~~h~~istoric R~~r~~esource M~~m~~anagement O~~o~~rdinance and preservation incentives to account for new resources as they are identified.*
- ~~*Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009).*~~
- *Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance.*
- *Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries.*

Agency/Department:	*Community Development Department*
Funding Source:	*Grant funds, general fund*
Time Frame:	*Ongoing; ~~identify historic districts within five (5) years of~~ Burbank2035 ~~adoption;~~ historic resource list updates every five (5) years*

Finding

A variety of federal, state, and locally recognized historic resources are located in Burbank. These resources date from as early as 1798 (Rancho San Rafael), and are mostly centered in Downtown Burbank where early development of the city occurred. Resource types include residences and commercial and industrial buildings, pre-historic and historic period archaeological sites, as well as linear features such as roads and planned water systems. Various resources are listed in or are eligible for listing in the NRHP and/or the CRHR or as a California Point of Historical Interest. Some parts of the city have not been surveyed, except on a project-by-project basis. Thus, only a portion of the historical resources in the planning area are currently known. Anticipated development would occur through new infill development on vacant property, and redevelopment or revitalization of underutilized properties, which could lead to the demolition of historic or potentially historic buildings and structures and/or damage to subsurface historic-period resources. Additionally, infrastructure or other public works improvements could result in damage to or demolition of other historical resources.

The City of Burbank Historic Preservation Plan provides guidelines and methods for identifying and managing cultural resources within the city. Instructive in nature, the Plan provides the framework for the creation and adoption of the City's preservation ordinance. In July 2012, the City passed the Historic Districts Ordinance, which defines a historic district and describes the procedure for designating historic districts.

The City of Burbank's Historic Resource Management Ordinance further identifies two types of historic resources, Eligible Historic Resources and Designated Historic Resources. The Ordinance generally affords protections and a formal review process to properties that are formally elevated to the status of Designated Historic Resource. Designation under the Ordinance does not result in a determination of historic significance under CEQA, and vice versa. The City does not have a complete record of potentially historic properties that may exist within the city but have not yet been identified. Likewise, there is not a comprehensive list of properties in the city that have reached sufficient age to determine historical importance (generally considered 45 years in age), as the City's records of historical resources are updated, in part, based on research completed in support of CEQA and NHPA Section 106 analyses on proposed projects.

The Burbank Historic Resource Management Ordinance affords protections to formally Designated Historic Resources through project review by the Heritage Commission and establishment of protective covenants. However, these policies by themselves would not ultimately prevent the demolition or impairment of a historic building or structure that is not a formally Designated Historic Resource under the City's Historic Resource Management Ordinance but meets the definition of historical resource for the purpose of CEQA. Demolition of such a historical resource would be a significant impact under CEQA. Furthermore, it is possible that some structures that have not yet been surveyed could be identified as historical resources during the *Burbank2035* planning horizon. It is also possible that the owner of a Designated Historic Resource may request to be exempted from the requirements of the Historic Resource Management Ordinance and carry out work that may adversely affect the value or significance of a Designated Historic Resource on the basis of extreme financial hardship or adversity.

Several adopted federal, state, and local regulations guide the process of identifying and preserving historic resources in Burbank. State regulations provide incentives to preserve historic and cultural resources, while local policies provide guidance for the identification and protection of resources. Implementation of *Burbank2035* Open Space and Conservation Element Policies 3.10, 3.11, and 3.12 would protect historical resources and reduce the likelihood of demolishing historic buildings and structures by allowing alterations to designated historic structures only as necessary to meet contemporary needs, and in a manner that does not affect the historic integrity of the resource; by evaluating future development projects with regard to their impact on the historic character of designated resources; and by requiring that future development tie into the city's grid street pattern. Open Space and Conservation Element Policy 6.1 would require the City to recognize and maintain cultural historical, archeological, and paleontological structures and sites essential for community life and identity.

Implementation of *Burbank2035* policies to identify and protect historic resources, along with adherence to existing federal, state, and City regulations would preserve locally-designated historical resources. However, implementation of *Burbank2035* would not prevent the demolition or substantial adverse change of historic buildings and structures that qualify as CEQA historical resources, but have not yet been formally designated under the City's Historic Resource Management Ordinance. Furthermore, permitted exemptions from the requirements of the Historic Resource Management Ordinance may occur on the basis of extreme financial hardship or adversity. Therefore, absent mitigation, this impact would be **potentially significant**.

Implementation of Mitigation Measure 4.6-1 above would reduce impacts to historical resources based on identification of resources that have not been formally designated under the City's Historic Resource Management Ordinance by requiring the City to establish a local list of Eligible Historic Resources and to update this list every five (5) years to identify as-yet-unknown historical resources. Furthermore, Mitigation Measure 4.6-1 would require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application, and would require compliance with the Historic

Resource Management Ordinance for as-yet-unknown historical resources that would be adversely affected by a proposed project. However, because it is uncertain that such measures will be feasible, and because permitted exemptions from the requirements of the Historic Resource Management Ordinance may occur on the basis of extreme financial hardship or adversity, this mitigation measure would not reduce the impact to a less-than-significant level.

No feasible mitigation beyond the methods for reducing impacts included in Mitigation Measure 4.6-1 is available to reduce this impact to a less-than-significant level because it is impossible to allow new development or redevelopment while preserving the existing setting. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, avoidance of changing the existing setting to a less-than-significant level is not possible, while still allowing new development and redevelopment envisioned in *Burbank2035*. Thus, because it is impossible to develop new uses or redevelop existing uses while maintaining the existing setting, mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to historical resources.

IMPACT 4.6-2 ***Substantial Change in the Significance of a Unique Archaeological Resource.*** *Adoption and implementation of Burbank2035 could result in new development and redevelopment of previously undisturbed land throughout the planning area, which could cause a substantial change in the significance of a unique archaeological resource as defined in CEQA Guidelines Section 15064.5. This impact is considered* ***potentially significant****.*

Mitigation Measures

Mitigation Measure 4.6-2: *Implement Mitigation Measure 4.6-1.*

Mitigation Measure 4.6-1: *The City of Burbank shall modify* Burbank2035 *Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources:*

Program LU-4: Historic Preservation ~~Plan~~

To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:

- *Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. ~~and revise as appropriate.~~*

- *Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis.*

- *Periodically review and revise the H~~h~~istoric R~~r~~esource M~~m~~anagement O~~o~~rdinance and preservation incentives to account for new resources as they are identified.*

- ~~*Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009).*~~

- *Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State*

CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance.

- *Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries.*

Agency/Department: *Community Development Department*
Funding Source: *Grant funds, general fund*
Time Frame: *Ongoing; ~~identify historic districts within five (5) years of~~ Burbank2035 ~~adoption;~~ historic resource list updates every five (5) years*

Finding

Anticipated development in Burbank would occur through infill development on vacant property, and redevelopment or revitalization of underutilized properties, which could result in damage to prehistoric- and historic-period archaeological resources located at or near previously undisturbed ground surfaces. In addition, infrastructure and other improvements requiring ground disturbance could result in damage to or destruction of archaeological resources buried below the ground surface. Archaeological sites have the potential to contain intact deposits of artifacts, associated features, and dietary remains that could contribute to the regional prehistoric or historic record. Historical resources, as defined in CEQA Guidelines Section 15064.5(a)(3)(D) include resources which "have yielded, or may be likely to yield, information important in history or prehistory." Archaeological sites may also be a "unique archaeological resource," (as defined in Public Resources Code (PRC) Section 21083.2(g)(1)-(3)) or may be of cultural or religious importance to Native American groups, particularly if the resource includes human and/or animal burials.

Burbank2035 Open Space and Conservation Element Policy 6.1 directs the City to recognize and maintain archaeological resources. The direction to recognize archaeological resources would typically be accomplished through, as appropriate, research, surveys, and testing prior to construction, as well as monitoring during ground disturbing activities. The proper handling of discovered resources and enforcement of applicable state and federal laws and regulations would qualify as the directed maintaining of archaeological resources. Much of the planning area is built-out, and most new development pursuant to *Burbank2035* will therefore take place above ground on previously disturbed land, thereby minimizing the potential to disturb archeological resources. However, ground-disturbing activities on previously undisturbed land could affect the integrity of an as-yet-unknown archaeological site, thereby causing a substantial change in the significance of the resource. Although efforts will be made to identify and mitigate impacts to potential archaeological resources prior to ground disturbance, there is no way to know if significant archaeological resources occur below undisturbed ground surfaces. Therefore, absent mitigation, this impact would be **potentially significant**.

Implementation of Mitigation Measure 4.6-1 above would require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land, and would require preparation and implementation of a treatment plan if buried resources would be affected by a proposed project. However, because it is uncertain that such measures will be feasible, this mitigation measure would not reduce the impact to a less-than-significant level.

No feasible mitigation beyond the methods for reducing impacts included in Mitigation Measure 4.6-1 is available to reduce this impact to a less-than-significant level because it is impossible to allow new development or redevelopment while preserving the existing setting. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, avoidance of changing the existing setting to a less-than-significant level is not

possible, while still allowing new development and redevelopment envisioned in *Burbank2035*. Thus, because it is impossible to develop new uses or redevelop existing uses while maintaining the existing setting, mitigation of these potential impacts to a less-than-significant level is infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to unique archaeological resources.

NOISE

IMPACT 4.13-1 ***Expose Noise Sensitive Receptors to Construction Noise Levels.*** *Short-term construction noise levels associated with implementation of Burbank2035 could exceed applicable City of Burbank standards at nearby noise-sensitive receptors. In addition, if construction activities were to occur during more noise-sensitive hours (outside the construction hours defined in BMC Section 9-1-1-105.8), construction noise levels could also result in annoyance and/or sleep disruption to occupants of existing and proposed noise-sensitive land uses and create a substantial temporary increase in ambient noise levels. Adoption and implementation of Burbank2035 policies and programs and enforcement of the City's noise control ordinance would reduce the impact, but the impact would be* ***significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

While implementation of *Burbank2035* would not directly result in new development within Burbank, it would allow redevelopment, which would generate noise during construction activity. Future, new redevelopment potential within the city exists primarily where existing development has not reached the development potential allowed by the existing General Plan designations.

Construction activity within these areas would have the potential to impact noise sensitive land uses. Table 4.13-3 on page 4.13-12 of the DEIR illustrates typical noise levels associated with the operation of construction equipment at a distance of 50 feet. As shown, construction equipment generates high levels of intermittent noise ranging from 55 dBA to 95 dBA and would result in a significant impact where noise sensitive land uses adjoin construction sites.

Although construction activities will result in a substantial noise increase in such locations, this impact will be short term and will cease upon completion of construction.

The City of Burbank exempts construction noise between the hours of 7:00 a.m.to 8:00 p.m. weekdays and 8:00 a.m. to 5:00 p.m. Saturdays, but does not contain quantified noise level limits for construction activities. The regulatory exemption reflects the City's acknowledgement that construction noise is a necessary part of new development and does not create an unacceptable public nuisance when conducted during the least noise sensitive hours of the day.

As discussed in the TBR, noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. However, intervening structures would also result in lower noise levels. Sound levels may be attenuated 3.0 dBA to 5.0 dBA by a first row of houses/buildings and 1.5 dBA for each additional row of houses in built-up environments (FHWA 1978). These factors generally limit the distance construction noise travels and ensure noise impacts from construction are localized.

Although construction noise would attenuate rapidly from individual construction sites, noise sensitive land uses could be intermittently exposed to substantial temporary increases in ambient noise levels. As a result,

construction activities that would occur under *Burbank2035* are considered potentially significant. Due to the potential for high short-term and instantaneous noise levels during peak construction activity at nearby residential properties, several *Burbank2035* Noise Element policies and programs have been developed to reduce noise levels associated with construction.

Burbank2035 Noise Element Policies 7.1 through 7.4, Program N-1, and Program N-6 include measures to limit exposure of noise sensitive land uses to excessive noise levels from point sources, including construction activities. Additionally, the *Burbank2035* Noise Element requires future projects to conduct project-level noise analyses. Program N-4 establishes parameters for cases where assessment of construction impacts and mitigation of impacts is considered appropriate.

However, if multiple construction projects were to occur concurrently in the planning area, construction noise could exceed the levels shown in Table 4.13-2 in the DEIR. This would be a **significant** impact.

Although implementation of *Burbank2035* policies and programs and enforcement of the City's noise ordinance would reduce the impact, no additional feasible mitigation is available to reduce construction noise to a less-than-significant level because it is infeasible to allow construction activities without noise from construction activities. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without construction noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to construction noise.

IMPACT 4.13-2 **Long-Term Increase in Traffic Noise Levels at Existing Noise-Sensitive Receptors.** *Implementation of Burbank2035 would result in a significant increase in traffic noise levels exceeding 3-5 dBA. Adoption and implementation of Burbank2035 policies and programs would improve traffic flow, roadway design, and site design to reduce overall traffic noise within the city. However, based on traffic modeling conducted for Burbank2035, this impact would be* ***potentially significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Implementation of *Burbank2035* would allow new development and redevelopment within the city that would generate additional traffic, which would increase ambient noise levels along local and regional roadways. However, *Burbank2035* includes policies aimed at reducing noise related to vehicular traffic. These policies require new development and/or modifications to existing development to include sound-reducing design measures to maintain compatibility with adjacent and surrounding uses; promote alternative transportation technologies that minimize noise impacts; and requirements to perform project-specific acoustical studies for individual development projects. Chapter 4.16, "Transportation," describes future traffic conditions attributed to implementation of *Burbank2035*.

To examine traffic noise impacts, traffic noise levels associated with *Burbank2035* were calculated for roadway segments in the city using FHWA's Highway Noise Prediction Model (FHWA-RD-77-108) (FHWA 1978). Traffic noise levels were modeled under existing and 2035 conditions, with and without implementation of *Burbank2035*. Peak PM intersection volumes were obtained from the traffic analysis prepared for *Burbank2035* (Fehr & Peers 2012). Vehicle mix classification and speeds for local area roadways were based on field observations and the *2010*

Annual Average Daily Truck Traffic on the California State Highway System prepared by Caltrans (2010). Exhibit 4.13-1 shows 2035 noise contours along major roadways and near the Bob Hope Airport.

Table 4.13-4 summarizes modeled noise levels at 100 feet from the roadway centerline for affected roadway segments in the city. These traffic noise levels represent an application of conservative traffic noise modeling methodologies, which assume no natural or artificial shielding from existing or proposed structures or topography. Actual traffic noise exposure levels at noise sensitive receptors in the project vicinity would vary depending on a combination of factors, including variations in daily traffic volumes, shielding provided by existing and proposed structures, and meteorological conditions. Please refer to Appendix E of this EIR for complete modeling inputs and results.

Based on the modeling presented in Table 4.13-4 in the DEIR, implementation of *Burbank2035* would result in a substantial change in traffic noise levels under 2035 conditions, when compared to existing conditions. Two roadway segments (North Hollywood Way between Olive Avenue and Warner Boulevard, and Empire Avenue between Buena Vista Street and Hollywood Way) would experience increases in ambient noise levels that exceed significance criteria. Therefore, increases in long-term ambient noise levels associated with implementation of *Burbank2035* would result in a substantial permanent increase in ambient noise levels, (i.e., +3 dB or greater increase) and would be considered **potentially significant**.

Implementation of *Burbank2035* is anticipated to decrease future noise levels compared against future conditions without implementation of *Burbank2035*. Multiple *Burbank2035* policies and programs address traffic flow, roadway design, and site design to reduce overall traffic noise within the City. No other feasible mitigation measures are available to reduce impacts associated with traffic noise to a less-than-significant level because it is infeasible to allow new development or redevelopment without some increase in traffic noise The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without traffic noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to transportation noise.

IMPACT 4.13-4 ***Exposure of Noise Sensitive Receptors to Rail Noise.*** *Implementation of Burbank2035 could result in increased exposure of sensitive receptors to rail-generated noise. Burbank2035 policies and programs would reduce potential noise exposure, but not to an acceptable level in all circumstances. Therefore, this impact is* ***potentially significant.***

Mitigation Measure

No feasible mitigation is available to reduce this impact.

Finding

Railroad operations within the city consist of freight, Amtrak, and Metrolink passenger service on the UPRR mainline track that runs north/south adjacent to Downtown Burbank. The community noise survey conducted for the TBR included measurements of existing rail operations within the city. The 24-hour continuous noise measurement taken along the tracks located in the city indicated that the average sound exposure level (SEL) associated with operation of an individual train was approximately 97 dB at a distance of 69 feet from the railroad centerline. Based upon the SEL noise levels, L_{max} noise levels, and event durations of the continuous noise measurement field data, approximately 8 freight trains, 10 Amtrak trains, and 53 Metrolink trains operated each day, resulting in L_{dn} levels ranging from 69-73 dBA. Please refer to Appendix B of the TBR for complete noise

data on rail activities within the city. Anticipated development of the California High-Speed Train project could also increase the number, speed, and frequency of trains passing through the planning area.

Burbank2035 Policies 4.1 through 4.3 and Programs N-2, N-3, N-4, and N-7 are designed to prevent and mitigate sources of excessive noise, including rail operations. Guidance included in *Burbank2035* will be applied at the project level as the City considers land use changes in the future. Development projects located along the railroad lines will be required to mitigate according to *Burbank2035* policies and an updated Noise Control Ordinance through project design and site planning. Although many techniques exist to reduce both internal and exterior noise levels, future development projects may experience rail noise levels in excess of City standards, despite inclusion of all feasible mitigation. This would be a **potentially significant** impact.

During the planning stages of individual projects consistent with *Burbank2035*, project-specific analysis will identify and mitigate to the extent feasible potential noise exposure issues resulting from train pass-bys in accordance with the City of Burbank Noise Ordinance and *Burbank2035*. *Burbank2035* Program N-4 requires that any receptor within 100 feet of rail lines complete a noise study and incorporate appropriate design considerations into the proposed development. Thus, even though specific site plans, equipment types, or construction schedules are unknown at this time, it is reasonable to conclude that noise from rail operations would be reduced through design. However, the extent to which the City can reduce those noise impacts by requiring design modifications is unknown. Although noise levels could be reduced in some cases, the City may not be able to control all aspects of a project, such as the number of trains that could use any given transit node. No other feasible mitigation measures are available to reduce impacts associated with rail noise to a less-than-significant level because it is infeasible to allow new development or redevelopment without some exposure to rail noise. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without exposure to rail noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to rail noise.

IMPACT 4.13-6 ***Exposure of Vibration Sensitive Receptors to Construction Vibration.*** *Sensitive receptors could be subjected to construction vibration levels in excess of established thresholds. This impact would be* ***significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Construction-related vibration has two potential effects. First, vibration at high enough levels can result in human annoyance. Second, groundborne vibration can potentially damage the foundations and exteriors of older and potentially historic structures. Groundborne vibration that can cause this kind of damage is typically limited to impact equipment, such as pile drivers. Construction activities that would occur under *Burbank2035* have the potential to generate low levels of groundborne vibration. Ground vibration levels associated with various types of construction equipment are in Table 4.13-5 in the DEIR, and reprinted here. Based on the vibration levels presented for various construction equipment types, sensitive receptors located in proximity to construction operations could be exposed to groundborne vibration levels exceeding the recommended FTA and Caltrans guidelines of 85 VdB and 0.2 in/sec PPV, respectively.

Table 4.13-5 in the DEIR Representative Vibration Source Levels for Construction Equipment			
Equipment		**PPV at 25 feet (in/sec)[1, 3]**	**Approximate L_v (VdB) at 25 feet[2]**
Pile Driver (impact)	Upper range	1.518	112
	Typical	0.644	104
Pile Driver (sonic)	Upper range	0.734	105
	Typical	0.170	93
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Heavy-duty Trucks		0.076	86
Jackhammer		0.035	79
Small Bulldozer		0.003	58

Notes;

[1] Where PPV is the peak particle velocity.

[2] Where Lv is the RMS velocity expressed in vibration decibels (VdB), assuming a crest factor of 4.

[3] Vibration levels can be approximated at other locations and distances using the above reference levels and the following equation: PPVequip = PPVref (25/D)1.1 (in/sec); where "PPV ref" is the given value in the above table, "D" is the distance for the equipment to the new receiver in feet.

Source: FTA 2006

Similar to noise, groundborne vibration would attenuate at a rate of approximately 6 VdB per doubling of distance. The groundborne vibration generated during construction activities would primarily impact existing sensitive uses (e.g., residences, schools, and hospitals) that are located adjacent to or within the vicinity of specific projects. These sensitive uses could sometimes be located as close as 25 feet to the construction site or as far as several hundred feet away. Based on the information presented in Table 4.13-5 in the DEIR, vibration levels could reach up to 87 VdB for typical construction activities (and up to 112 VdB if pile driving activities were to occur) at sensitive uses located within 25 feet of construction. For sensitive uses that are located at or within 25 feet of potential project construction sites, sensitive receptors (e.g., residents, school children, and hospital patients) at these locations may experience vibration levels during construction activities that exceed the FTA's vibration impact threshold of 85 VdB. If construction occurs more than 50 feet from sensitive receptors, the impact associated with groundborne vibration generated by the typical construction equipment would be below 85 VdB and thus would be less than significant. However, as specific site plans, equipment types, or construction schedules are unknown at this time, it may be possible that construction activities could occur as close as 25 feet from sensitive receptors or that pile driving activities could occur. This would result in these sensitive receptors experiencing vibration levels beyond the 85 VdB threshold. Therefore, because sensitive receptors could be subjected to construction vibration levels in excess of established thresholds, impacts would be **significant**.

Adherence to the *Burbank2035* programs and policies identified above would reduce potential construction vibration impacts, but would not preclude the potential for impacts to occur. No other feasible mitigation measures are available to reduce impacts associated with construction vibration to a less-than-significant level because it is infeasible to allow construction associated with new development or redevelopment without some exposure to groundborne vibration from construction activities. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without exposure to rail noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding

Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to construction vibration.

IMPACT 4.13-7 ***Exposure of Vibration Sensitive Receptors to Operational Vibration.*** *Operational vibration sources, including roadway traffic and industrial and commercial operations would be unlikely to expose sensitive receptors to levels exceeding recommended thresholds of significance. Adherence to the Burbank2035 programs and policies identified above would reduce potential operational vibration impacts, but does not preclude the potential for impacts from rail traffic to occur. This impact would be* ***significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

During operation of uses proposed under *Burbank2035*, generally three types of activities (vehicles operating on local and regional roadways, railway traffic, and commercial and industrial operations) could generate perceivable operational vibration.

Roadway Vibration

With respect to roadway traffic, vehicles traveling on the local and regional roadway network are generally supported on flexible suspension systems and therefore are not an efficient source of ground vibration. However, vehicles can cause vibration when they roll over pavement surfaces that are not smooth. These discontinuities typically develop as a result of cracking, potholes, or misaligned expansion joints caused by settling of pavement section or the support structures of a span, due to normal geological conditions or fault activity. When these discontinuities develop, vehicles passing over the imperfection impart energy into the ground, generating vibration. Groundborne vibration levels from automobile traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. However, due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible outside the roadway right-of-way, resulting in vibration levels that cause damage to building in the roadway vicinity. Groundborne vibration levels associated with roadway traffic rarely exceed criteria established for evaluation of building damage or human annoyance (Caltrans 2004: 13-18).

Implementation of *Burbank2035* does not propose the construction or realignment of any major roadway projects. Additionally, it is not anticipated that land use changes associated with implementation of *Burbank2035* will result in the exposure of persons within the city to roadway groundborne vibration levels exceeding the FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV.

Rail Operations Vibration

To evaluate vibration impacts at potential future residential receptors from rail operations, the FTA Transit Noise and Vibration Impact Assessment manual (FTA manual) General Vibration Assessment methods were applied to the *Burbank2035* planning area (FTA 2006: Chapter 10). Impacts to sensitive receptors from rail would occur within approximately 85 feet from the center of the tracks where vibration levels could reach 79.7 VdB and 0.04 ppv at 85 feet (FTA 2006: 10-3, 10-7). Please refer to Appendix E to this EIR for vibration modeling calculations. Therefore, since trains pass within 85 feet of potential sensitive receptors at several locations throughout the city, groundborne vibration levels attributable to rail sources would exceed the threshold of significance for exposing sensitive receptors to vibration and groundborne noise. *Burbank2035* Program N-4 includes a provision that any receptor proposed within 100 feet of rail lines complete a noise study. However, as specific site plans, equipment types, or construction schedules are unknown at this time, it may be possible that

rail operations could occur within 85 feet of sensitive receptors. This would result in these sensitive receptors experiencing vibration levels beyond the 80 VdB threshold.

Industrial and Commercial Operations Vibration

Light industrial and commercial operations have, on occasion, been known to utilize equipment or processes in the manufacture and distribution of materials that have a potential to generate groundborne vibration. However, vibrations found to be excessive for human exposure that are the result of a manufacturing process or industrial machinery are generally addressed from an occupational health and safety perspective. The residual vibrations from industrial processes or machinery are typically of such low amplitude that they quickly dissipate into the surrounding soil and are rarely perceivable at the surrounding land uses.

Distribution of materials to and from industrial and commercial land uses can have the potential to generate more substantial levels of groundborne vibration than that of the mechanical equipment. Heavy trucks used for delivery and distribution of materials to and from industrial and commercial sites generally operate at very low speeds while on the industrial or commercial site. Therefore, the groundborne vibration induced by heavy truck traffic at industrial or commercial land uses is not anticipated to be perceptible at distances greater than 25 feet (i.e., the typical distance from the roadway centerline to the edge of the right-of-way for a single-lane road).

Based on the operational characteristics of mechanical equipment and distribution methods used for general light industrial and commercial land uses, it is not anticipated that light industrial and commercial operations would result in groundborne vibration levels that approach or exceed the FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV.

Conclusion

Adherence to the *Burbank2035* programs and policies identified above would reduce potential operational vibration impacts, but does not preclude the potential for impacts from rail traffic to occur. Therefore, because sensitive receptors could be subjected to operational vibration levels from rail traffic in excess of established thresholds, impacts would be considered **significant**.

No feasible mitigation measures are available to reduce impacts associated with operational vibration to a less-than-significant level because it is infeasible to allow new development or redevelopment without some possibility of exposure to operational groundborne vibration. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without exposure to operational vibrations, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to operational vibration.

IMPACT 4.13-8 **Cumulative Effects of Construction Noise.** *Adoption and implementation of Burbank2035, in addition to anticipated growth in the region, would result in additional construction activity throughout the city and in adjacent jurisdictions, thereby increasing overall ambient noise levels. Adoption and implementation of the Burbank2035 land use plan, policies, and programs would reduce the effects of construction noise on nearby sensitive receptors, but not to an acceptable level in all circumstances. Burbank2035's contribution would be cumulatively considerable, and impacts would be* ***potentially significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Increases in noise at sensitive uses would occur as a result of construction of new land uses under *Burbank2035* along with other construction in the vicinity but outside of the city. As discussed in Impact 4.13-1, construction of new land uses within the city under *Burbank2035* could expose sensitive receptors near future construction sites to noise levels above noise standards established by the City. This construction noise would be temporary, and must be conducted in accordance with the requirements of the City's Noise Control Ordinance.

Multiple projects being constructed within Burbank and adjacent areas concurrently could create a cumulative condition. Other construction that may occur in the vicinity of one future construction site would contribute noise levels similar to those generated for a particular project. Where there are two adjoining construction sites, the combined construction noise levels would have a cumulative effect on nearby sensitive uses. Noise is not strictly additive, and a doubling of noise sources would not cause a doubling of noise levels, but rather would result in a 3 dBA increase over a single source. However, cumulative construction noise levels could be in excess of City noise standards.

As discussed under Impact 4.13-1, the City of Burbank exempts construction noise between the hours of 7:00 a.m.to 8:00 p.m. weekdays and 8:00 a.m. to 5:00 p.m. Saturdays, but does not contain quantified noise level limits for construction activities. The regulatory exemption reflects the City's acknowledgement that construction noise is a necessary part of new development and does not create an unacceptable public nuisance when conducted during the least noise sensitive hours of the day. However, should multiple construction activities occur simultaneously, noise thresholds could be exceeded as a result of construction activities. Future development consistent with *Burbank2035* would provide for increased density and intensity within the planning area, potentially exposing sensitive receptors to increased construction noise in exceedance of acceptable levels. Therefore, this impact would be **potentially significant**.

Burbank2035 could enable multiple construction activities to occur concurrently, and *Burbank2035*'s contribution would be cumulatively considerable. Although implementation of *Burbank2035* policies and programs and enforcement of the City's noise ordinance would reduce the impact, no additional feasible mitigation is available to reduce cumulatively considerable noise impacts to a less-than-significant level because it is infeasible to allow construction activities without generating noise from construction activities. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without generating construction noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative construction noise.

IMPACT 4.13-9 **Cumulative Effects of Roadway Noise.** *Adoption and implementation of Burbank2035 in addition to anticipated growth in the region would result in additional vehicle trips throughout the city and in adjacent jurisdictions, thereby increasing overall ambient noise levels. Adoption and implementation of the Burbank2035 land use plan, policies, and programs would reduce the effects of future development on roadway noise levels, but noise levels would substantially increase beyond existing conditions. Burbank2035's contribution to this impact would be considerable, and impacts would be* ***significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

Substantial permanent increases in noise would occur primarily as a result of increased traffic on local roadways due to *Burbank2035*, related projects, and other regional growth through year 2035. Cumulative traffic-generated noise impacts have been assessed based on the total change from existing conditions to future cumulative conditions with implementation of *Burbank2035*. As shown in Table 4.9-4 in the DEIR, cumulative traffic, including traffic resulting from implementation of *Burbank2035*, would result in substantial increases in noise along two roadway segments compared to existing conditions. This would be a **significant** impact.

As roadway segments within the City would experience a substantial increase in noise over existing conditions with implementation of *Burbank2035* including cumulative traffic conditions, *Burbank2035*'s contribution to this cumulative impact is considerable. No feasible mitigation measures are available to reduce impacts associated with cumulative traffic noise to a less-than-significant level because it is infeasible to allow new development or redevelopment without some increase in traffic noise The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without traffic noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative transportation noise.

IMPACT 4.13-11 **Cumulative Effects of Rail Noise on Nearby Receptors.** *Adoption and implementation of Burbank2035 in addition to anticipated growth in the region could result in the construction of additional residences near existing rail operations, thereby resulting in the potential exposure of those residences to elevated noise levels due to rail operations. Adoption and implementation of the Burbank2035 land use plan, policies, and programs, and compliance with the City's Noise Control Ordinance would reduce the effects of future development, but not to an acceptable level in all circumstances. Burbank2035's contribution would be cumulatively considerable, and impacts would be* ***significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

There are no current plans, whether as part of *Burbank2035* or otherwise, to expand rail operations within the city. However, anticipated development of the California High-Speed Train project and expanded rail operations in other regions could increase the number and/or frequency of trains passing through the planning area and adjacent to intensified development in the planning area.

Future land uses, including those identified in *Burbank2035*, would be evaluated for compatibility, as required by *Burbank2035* policies and programs. Implementation of *Burbank2035* policies would ensure that any specific development within the vicinity of rail operations would be subject to review and additional design criteria, as applicable, intended to reduce potential impacts due to rail operations. However, the extent to which the City can reduce such impacts by requiring design considerations is unknown. Although noise levels could be reduced in some cases, the City may not be able to control all aspects of a project, such as the number of trains that could use any given transit node. Therefore, because future sensitive receptors could be exposed to noise levels above City standards, this impact would be potentially significant. Although there are no plans to expand rail operations in the city, planned increases in density and intensity of uses within the city around transit nodes would expose additional people to rail noise. Therefore, *Burbank2035*'s contribution to the exposure of receptors to rail noise is cumulatively considerable. This impact would be **significant**.

No other feasible mitigation measures are available to reduce impacts associated with rail noise to a less-than-significant level because it is infeasible to allow new development or redevelopment without some exposure to rail noise. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without exposure to rail noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative rail noise.

IMPACT 4.13-13 **Cumulative Effects of Construction Vibration.** *Construction of future land uses consistent with Burbank2035, in conjunction with other activities within the city, would expose nearby sensitive receptors to excessive vibration levels. Adoption and implementation of the Burbank2035 land use plan, policies, and programs, and compliance with the City's Noise Control Ordinance would reduce these effects of future development. However Burbank2035's contribution would be cumulatively considerable, and impacts would be* ***potentially significant****.*

Mitigation Measures

No feasible mitigation is available to reduce this impact.

Finding

As discussed in Impact 4.13-6, construction of new land uses under *Burbank2035* would produce temporary vibration impacts, and the construction-related vibration impact would be significant and unavoidable. Due to the localized nature of vibration impacts, the overall cumulative impact would also be limited due in part to the fact that all construction would not occur at the same time or at the same location. Only receptors located in close proximity to each construction site would be cumulatively affected by each activity. As future land uses consistent with *Burbank2035* may be constructed concurrently with each other or other related projects, it is possible that intense construction from two or more projects would simultaneously occur at distances of 50 feet or less from existing receptors. Therefore, vibration from construction of future new land uses within the city and in immediately surrounding areas could potentially combine with construction vibration from the proposed project to result in a **potentially significant** cumulative impact.

No feasible mitigation measures are available to reduce impacts associated with construction vibration to a less-than-significant level because it is infeasible to allow construction associated with new development or redevelopment without some exposure to groundborne vibration from construction activities. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without exposure to rail noise, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative construction vibration.

POPULATION, EMPLOYMENT, AND HOUSING

IMPACT 4.14-1 **Induce Substantial Population Growth.** *Adoption and implementation of Burbank2035 would increase population in the planning area compared to 2010 conditions, and would also increase employment in the planning area, thereby indirectly causing population increases. However, providing for the orderly growth of Burbank is a basic purpose of Burbank2035. Nevertheless, this would be a* ***significant*** *impact.*

Mitigation Measures

No feasible mitigation measures are available.

Finding

Burbank2035 includes land use designations that would allow new residential uses and non-residential development, generally focused in existing commercial and industrial areas and areas with access to transit. Land Use Element Policies 1.2, 1.4, 5.4, and 5.5 would allow for increased densities and intensities in focused areas, including within ¼ mile of transit stops, Downtown Burbank, and the Media District. Table 3-2 in Chapter 3, "Project Description," in the DEIR presents the current population in Burbank, and the forecast population in 2035 with implementation of *Burbank2035*. In addition to forecast population growth, implementation of *Burbank2035* would also result in new commercial and industrial development which would increase the City's employment base. Table 4.14-2 in the DEIR, and reprinted here, presents the 2010 and 2035 forecast population, housing units, and employment for the planning area.

SCAG's adopted forecasts for the City of Burbank are provided in Table 4.14-1 in the DEIR. These forecasts are the sum of small area data and are to be used for advisory purposes only. SCAG forecasts a population of 133,391 and 115,695 jobs in Burbank in 2035. SCAG's forecasts include a higher population (16,875 more people) than the anticipated changes under *Burbank2035* would accommodate. However, SCAG's forecasted employment is

Table 4.14-2 in the DEIR
***Burbank2035* Population, Employment, and Housing Forecasts**

	2010	2035
Population	103,340	116,516
Housing Units	44,309	50,219
Jobs	94,932	125,461
Jobs/Housing Ratio	2.14	2.50

Source: AECOM 2012

less (9,766 fewer jobs) than anticipated employment growth under *Burbank2035*. SCAG's forecast would result in a jobs/housing units ratio of about 2.02 in 2035.

Adoption and implementation of *Burbank2035* would result in an increase in population growth, both directly through new residential units envisioned by the plan, and indirectly through new job generating uses. The planning area has relatively more jobs than housing as of 2010. The jobs/housing ratio for the forecast buildout of *Burbank2035* through 2035 would increase compared to 2010 conditions, resulting in a further increase in the number of jobs compared to housing units in the planning area, and potentially inducing population growth indirectly. This would be a **significant** impact.

No other feasible mitigation measures are available to reduce impacts associated with population growth to a less-than-significant level because it is infeasible to allow new development or redevelopment without inducing population growth. The purpose of a general plan is to guide growth and development in a community. Accordingly, *Burbank2035* is premised on a certain amount of growth taking place. The focus of *Burbank2035* is to provide a framework in which the growth can be managed and to tailor it to suit the needs of the community and surrounding area. *Burbank2035* provides the necessary tools to accommodate future growth, provides direction for new development and redevelopment projects, and establishes the desired mix and relationship between land use types. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment

without inducing population growth, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to population growth.

IMPACT 4.14-3 **Cumulative Inducement of Population Growth.** *Adoption and implementation of Burbank2035 in addition to anticipated land use changes throughout the Arroyo Verdugo Cities subregion would increase population both directly and indirectly (through increased employment). Burbank2035's contribution to this impact would be considerable, and the impact would be* ***significant****.*

Mitigation Measures

No feasible mitigation measures are available.

Finding

SCAG forecasts that the population in the Arroyo Verdugo Cities (the subregion) will increase by 41,176 to 406,873 by 2035, an increase of more than 11% over the forecast 2010 population. Employment in the subregion is also forecast to increase by 27,675 (13%) to 232,268. The jobs/households ratio (which is similar to, but not directly comparable with the jobs/housing unit ratio identified in Impact 4.14-1) is forecast to increase slightly, from 1.54 to 1.57. This would be a **significant** cumulative impact.

Burbank2035 forecasts an additional 13,176 residents and 30,529 jobs by 2035, representing a substantial portion of the growth forecast for the subregion. No feasible mitigation measures are available to reduce impacts associated with cumulative population growth to a less-than-significant level because it is infeasible to allow new development or redevelopment without inducing population growth. The purpose of a general plan is to guide growth and development in a community. Accordingly, *Burbank2035* is premised on a certain amount of growth taking place. The focus of *Burbank2035* is to provide a framework in which the growth can be managed and to tailor it to suit the needs of the community and surrounding area. *Burbank2035* provides the necessary tools to accommodate future growth, provides direction for new development and redevelopment projects, and establishes the desired mix and relationship between land use types. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without inducing population growth, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative population growth.

PUBLIC SERVICES AND UTILITIES

IMPACT 4.15-9 ***Demand for Water Supplies.*** *Implementation of Burbank2035 would result in the need for additional water supply. The increased population growth projected from implementation of Burbank2035 would be less than that anticipated by the UWMPs of water suppliers, and no new entitlements would be needed. However, uncertainty surrounding future water supply to the planning area and southern California as a whole results in a* ***significant*** *impact.*

Mitigation Measures

No additional feasible mitigation is available.

Finding

New development and redevelopment pursuant to *Burbank2035* would result in an increase in residential and nonresidential uses over existing conditions, which would result in the need for additional water supply. Water in Burbank is supplied by the BWP Water Division. More than half (56%) of BWP's water is supplied locally from groundwater wells drawing from the San Fernando Groundwater Basin, where groundwater levels have been steadily declining over the past thirty years (BWP 2011).

However, the BWP 2010 UWMP concludes that there will be sufficient water supplies to meet demand through 2035 in normal and dry years due to existing contracts with wholesale supplier Metropolitan. The BWP 2010 UWMP uses demographic projections from the California Department of Finance, which include population estimates greater than those anticipated under *Burbank2035*. The BWP UWMP estimates Burbank's population to be 132,877 by 2035, which represents 16,361 more residents than anticipated under *Burbank2035* (BWP 2011). Therefore, the BWP 2010 UWMP represents a more conservative scenario than *Burbank2035*.

The City believes it can, with continued conservation efforts, sustain low water use in accordance with the requirements of the California Water Conservation Bill of 2009 (Senate Bill X7-7), which requires urban water suppliers to reduce per capita water use 20% by 2020. Burbank adopted a Sustainable Water Use Ordinance in June 2008, which has implemented sustainable water use measures and prepares the City for cases of extreme water shortage. Additionally, the Burbank City Council approved a 2010 Retrofit Upon Resale Ordinance requiring the upgrade of toilets, showerheads, urinals, and faucet aerators to high water efficiency levels as property is resold in Burbank. These measures and others have resulted in a water savings of more than 20% in recent years (BWP 2011).

Numerous *Burbank2035* policies and programs would reduce water consumption, as described under Impact 4.15-7, further reducing the need for new or expanded entitlements by 2035. In addition, SB 610 requires the preparation of water supply assessments for large developments (e.g., for projects of 500 or more residential units; 500,000 square feet of retail commercial space; or 250,000 square feet of office commercial space). These assessments address whether adequate existing or projected water supplies are available to serve proposed projects, in addition to urban and agricultural demands and other anticipated development in the service area in which the project is located.

Metropolitan supplies a little less than half of Burbank's potable water, in addition to providing BWP with groundwater supplies to replenish the San Fernando Groundwater Basin. Even though water demand estimates use a greater population forecast, Metropolitan projects 100% reliability for full-service demands serving Burbank through the year 2035. As a result, Burbank does not expect critical shortages through 2035. The City will continue to rely on Metropolitan for water, either for direct use or for groundwater replenishment (BWP 2011). Reliability and certainty of future Metropolitan supplies therefore also need to be considered when determining the reliability of the planning area's future water supplies.

Metropolitan has implemented a variety of projects and programs designed to reduce its dependency on imported water during droughts. These have included (1) providing financial incentives for local projects and conservation; (2) increased surface storage via Diamond Valley Lake and use of the State Water Project (SWP) terminus reservoirs; (3) groundwater storage programs in the Central Valley, Imperial Valley, and Coachella Valley; (4) short- and long-term water transfers; and (5) local groundwater storage programs with participating member agencies. Metropolitan's integrated resource plan (IRP) calls for further expanding all of these alternative supplies. Metropolitan is also planning for the development of a 500,000-AF buffer supply to mitigate for any shortfall in future supply. Implementation of Metropolitan's IRP would provide sufficient water to its member agencies even during critically dry events from now until at least 2025.

However, uncertainty exists for the long-term water supply for all of California. Variable hydrology could reduce the quantity of water that the SWP delivers to Metropolitan, and in turn to the City of Burbank. Restrictions on

Bay-Delta pumping related to the listing of endangered species, hydrology constraints, and several years of drought also contribute to long-term uncertainty in water supply. Operational constraints with the SWP will likely continue until a long-term solution to environmental effects in the Bay-Delta is achieved.

Metropolitan is taking actions (including conservation programs, increasing local storage and groundwater storage, and water transfers) to ensure an adequate supply, and the successful implementation of these long-range actions would reduce the uncertainty surrounding Metropolitan's supply.

Although implementation of *Burbank2035* policies and programs would result in water conservation and the requirement for new developments to provide proof of adequate water supply, uncertainty surrounding future water supply to the planning area and southern California as a whole results in a **significant** water supply impact.

Actions described in *Burbank2035*, Metropolitan's IRP, and the UWMP present a range of activities being undertaken by multiple agencies to ensure reliable water supplies that meet the future needs of the planning area. No additional feasible mitigation measures are available to reduce impacts associated with water supply to a less-than-significant level because it is infeasible to allow new development or redevelopment without some requirement for water supply. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without increasing demand for water supply, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to water supply.

IMPACT 4.15-21 ***Cumulative Effects on Water Supplies.*** *Implementation of Burbank2035 would result in the need for additional water supply. The increased population growth projected from implementation of Burbank2035 would be less than that anticipated by the Urban Water Management Plans of water suppliers, and no new entitlements would be needed. However, uncertainty surrounding future water supply to the planning area and southern California as a whole results in a potentially significant cumulative water supply impact. Burbank2035's contribution to this impact would be considerable, and the impact would be* ***significant****.*

Mitigation Measures

No additional feasible mitigation is available.

Finding

The cumulative impact area for water supplies is Metropolitan's service area As described in Impact 4.15-9, both the BWP and the Metropolitan UWMPs conclude that there will be sufficient water supplies to meet demand in normal and dry years. However, the same uncertainties described in Impact 4.15-9 affect the water supply reliability throughout Metropolitan's service area, and would result in a **significant** cumulative impact.

The same *Burbank2035* policies, programs, and regulations described under Impact 4.15-9 would reduce this cumulative impact. No additional feasible mitigation measures are available to reduce impacts associated with cumulative water supply to a less-than-significant level because it is infeasible to allow new development or redevelopment without some requirement for water supply. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. Therefore, mitigation to a less-than-significant level is not possible while still allowing for implementation of *Burbank2035*. Thus, because it is impossible to allow new development or redevelopment without increasing demand for water supply, mitigation of this impact to a less-than-significant level would be infeasible and this impact is **significant and unavoidable**. As explained in Section 3, "Statement of Overriding

Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative water supply.

TRANSPORTATION

IMPACT 4.16-1 **LOS D Performance Standard.** *Adoption and implementation of Burbank2035 would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard. This would be a* ***significant*** *impact.*

Mitigation Measures

Mitigation Measure 4.16-1a. *The City of Burbank shall complete implementation of the Citywide Signal Control System (CSCS) and apply signal optimization at all the 35 key intersections identified in the Transportation Analysis Report.*

The City of Burbank is currently in the process of implementing a CSCS consistent with Mobility Element Policy 1.6. Application of the CSCS would improve the function of the entire circulation network, including improvements to intersection LOS. CSCS functionality was not accounted for in the existing conditions LOS presented in Table 4.16-2 in the DEIR, or the 2035 analysis presented in Table 4.16-5 in the DEIR, because the system has not been completed or fully implemented.

Finding

The City of Burbank has established LOS D as the lowest acceptable LOS for all signalized intersections during peak hours. LOS definitions for signalized intersections are presented in Table 4.16-1 in the DEIR. Mobility Element Policy 1.2 acknowledges that Burbank is built-out and wholesale changes to the street rights-of-way are infeasible. Mitigation to increase service to LOS D is infeasible when it conflicts with the goals and policies of *Burbank2035* as described below.

- **Right-of-WayConflict.** If any right-of-way acquisition would be needed to implement the proposed mitigation (assuming minimum lane widths and a minimum of 6-foot sidewalks), the improvement would conflict with Mobility Element Policies 1.2 and 3.4.

- **Scale and Design Conflict.** If an improvement would not be compatible with the scale and design of the existing infrastructure or would increase the existing roadway width (measured from curb-to-curb) along a residential or mixed use area, the improvement would conflict with Mobility Element Policy 1.5.

- **Complete Streets Conflict.** If an improvement would prevent development of complete streets by increasing the roadway width at the intersection so as to narrow existing sidewalks, decrease bike lane width, or greatly disturb transit/bus stop locations, the improvement would conflict with Mobility Element Policies 3.2 and 3.5.

- **Pedestrian Opportunities Conflict.** If an improvement would require sidewalk widths to go below the minimum sidewalk standards specified in Table M-2 of the Mobility Element, it would conflict with Mobility Element Policies 3.3, 3.5, and 5.5.

Therefore, implementation of *Burbank2035* would still result in LOS E or LOS F at 7 of the analyzed 35 intersections (intersections #3, 5, 21, 25, 26, 32 and 35). This impact would be **significant**.

At these seven intersections, no feasible mitigation is available because the required physical widening at these locations would conflict with Mobility Element policies. These seven intersections are described below:

- Hollywood Way and Victory Boulevard (Intersection #3). Physical improvements required to improve the service condition to LOS D or better would include striping all four approaches to provide two exclusive left-

turn lanes, two through lanes, and one exclusive right-turn lane, as well as modifying the signal phasing on all approaches from protected/permitted to protected. To accommodate the requisite widening within the 100-foot right-of-way, sidewalks would be narrowed to a width of 10 feet on all approaches. The mitigation is infeasible based on the following

- the scale and design of this intersection would be compromised, inconsistent with Mobility Element Policy 1.5 ; and

- the mitigation would narrow sidewalks at transit transfer points, inconsistent with Mobility Element Policies 3.2 and 3.5.

- Hollywood Way and Magnolia Boulevard (Intersection #5). Physical improvements required to improve the service condition to LOS D or better would include adding a second exclusive left-turn lane to all approaches. The widening would provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane on all approaches. A conflict to the LOS D standard is allowed because:

  - the widening would not be able to sustain the minimum 10-foot sidewalk widths, inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5;

  - the scale and design of this intersection would be compromised, inconsistent with Mobility Element Policy 1.5; and

  - the mitigation would narrow sidewalks at transit transfer points, inconsistent with Mobility Element Policies 3.2 and 3.5.

- Buena Vista Street and Magnolia Boulevard (Intersection #21). Physical improvements required to improve the service condition to LOS D or better would include adding a second exclusive left-turn lane to all approaches. This intersection experiences heavy southbound and northbound through traffic volumes in the AM and PM peaks; however, adding through lane capacity would require the receiving end of the south and north leg be expanded to receive three through lanes at both legs. The current right-of-way along Buena Vista is only 80 feet. A conflict to the LOS D standard is permitted based on the following:

  - the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5; and

  - the scale and design of this intersection would be compromised, inconsistent with Mobility Element Policy 1.5.

- Victory Boulevard and Burbank Boulevard (Intersection #25). Physical improvements required to improve the service condition to LOS D or better would include restriping the northbound approach to provide two exclusive right-turn lanes, two through lanes, and two exclusive right-turn lanes. A conflict to the LOS D standard is permitted based on the following:

  - the widening would narrow sidewalks to less than the minimum 6-foot sidewalk widths, inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5;

  - the widening would require impacts to surrounding properties, inconsistent with Mobility Element Policy 1.2; and

  - the mitigation would narrow sidewalks, inconsistent with Mobility Element Policies 3.2 and 3.5.

- Victory Boulevard and Magnolia Boulevard (Intersection #26). In order to bring this intersection to LOS D or better, the City would need to restripe the northbound and southbound approaches to provide two exclusive

left-turn lanes, two through lanes, and one exclusive right-turn lane. Adequate right-of-way is available to accommodate the required widening on both approaches assuming the sidewalk widths are 10 feet. However, conflicts are found under the scale and design and complete streets policies set forth in *Burbank2035* because the mitigation does not address the bicycle route connecting the Chandler Bikeway.

- San Fernando Boulevard and Alameda Avenue (Intersection #32). Physical improvements required to improve the service condition to LOS D or better would include providing two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. In addition, the eastbound approach would require one exclusive right-turn lane, two through lanes, and one exclusive right-of-way lane to be provided. The bus stop on the receiving end of the western leg would have to be relocated to properly accommodate this configuration. A conflict to the LOS D standard is permitted based on the following:

  - the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5; and

  - the mitigation would narrow sidewalks and hamper transit opportunities, inconsistent with Mobility Element Policies 3.2 and 3.5;

- Glenoaks Boulevard and Alameda Avenue (Intersection #35). Physical improvements required to improve the service condition to LOS D or better would include providing two exclusive left-turn lanes, one through lane, and one exclusive right-turn lane. In addition, the eastbound approach would require one exclusive right-turn lane on the eastbound approach. Restriping would require a sub-standard lane offset or, as an alternative, widening of the eastbound approach which is located in the City of Glendale. A conflict to the LOS D standard is permitted based on the following:

  - the scale and design of this intersection would be compromised, inconsistent with Mobility Element Policy 1.5; and

  - the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5.

No feasible mitigation beyond those listed above is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that LOS D conditions would be maintained at all intersections, and therefore mitigation of these potential impacts to a less-than-significant level is infeasible and impacts at seven intersections (intersections #3, 5, 21, 25, 26, 32 and 35) would remain **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to LOS D performance standards.

IMPACT 4.16-7 **Cumulative LOS D Performance Standard.** *Adoption and implementation of Burbank2035 would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard under cumulative conditions. Burbank2035's contribution would be considerable, and this would be a* ***significant*** *cumulative impact.*

Mitigation Measures

Mitigation Measure 4.16-7. Implement Mitigation Measures 4.16-1a and 4.16-1b.

Mitigation Measure 4.16-1a. *The City of Burbank shall complete implementation of the Citywide Signal Control System (CSCS) and apply signal optimization at all the 35 key intersections identified in the Transportation Analysis Report.*

Mitigation Measure 4.16-1b. *The City of Burbank shall implement the following intersection improvements:*

- *Hollywood Way and Thornton Avenue (Intersection #2). Provide one exclusive left-turn lane, two through lanes, and one shared through/right-turn lane on northbound and southbound approaches. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Hollywood Way and Verdugo Avenue (Intersection #6). Provide a second exclusive left-turn lane, two through lanes, and a new exclusive right-turn lane in the southbound approach. Modify signal phasing on the southbound approach from permitted to protected. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Pass Avenue and Olive Avenue (Intersection #9). Widen the eastbound approach to provide two exclusive left-turn lanes and three through lanes. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed. This improvement has been previously identified as a mitigation measure in the Warner Brothers Studio Master Plan and improvements comply with the goals and policies of Burbank2035.*

- *Buena Vista Street and San Fernando Boulevard (Intersection #16). Restripe the eastbound approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The existing right-of-way on San Fernando Boulevard is 70 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.This mitigation should be completed concurrently with the railroad grade separation at Buena Vista Street.*

- *Buena Vista Street and Olive Avenue (Intersection #22). Reconfigure the eastbound approaches to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Modify signal phasing on the eastbound and westbound approached from protected/permitted to protected. Restrict parking along the westbound approach for 100 feet. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

- *Victory Boulevard and Olive Avenue (Intersection #27). Restripe the southbound, westbound and eastbound approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lanes. Modify signal phasing on the southbound, eastbound and westbound approaches from protected/permitted to protected. The existing right-of-way approach is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.*

Finding

Regional population and employment growth is anticipated to result in traffic volumes that would exceed acceptable levels of service at 16 signalized intersections, as discussed in Impact 4.16-1. This represents a significant cumulative impact. While *Burbank2035* includes various policies to reduce traffic demand and mitigation for roadway segments and intersections, traffic is anticipated to exceed level of service standards at these intersections. Therefore, *Burbank2035* would make a cumulatively considerable contribution to this **significant** impact.

Signal optimization resulting from implementation of Mitigation Measure 4.16-1a would improve intersections #12, 17, and 19 to LOS D. Implementation of the improvements identified in Mitigation Measure 4.16-1b would

improve functionality of the intersections to meet the LOS D standard. These improvements are consistent with Mobility Element Policies 1.2, 1.4, 1.5, 2.3, 3.2, 3.3, 3.5 and 5.5. Table 4.16-9 in the DEIR and Exhibit 4.16-7 in the DEIR present LOS for each intersection after implementation of Mitigation Measures 4.16-1a and 4.16-1b.

As discusses in Section 2.3.1, impacts at nine intersections (intersections #2, 6, 9, 12, 16, 17, 19, 22, and 27) would be reduced to a **less-than-significant** level with implementation of Mitigation Measures 4.16-1a and 4.16-1b.

No feasible mitigation beyond those listed above is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to define long-term community goals, decision-making policies, and implementation programs to guide future development within the City of Burbank. It is not possible at this time to provide mitigation that would at once accommodate long-term development within the City as envisioned in *Burbank2035* while also ensuring that LOS D conditions would be maintained at all intersections, and therefore mitigation of these potential impacts to a less-than-significant level is infeasible and impacts at seven intersections (intersections #3, 5, 21, 25, 26, 32 and 35) would remain **significant and unavoidable**. As explained in Section 3, "Statement of Overriding Considerations", the environmental, economic, legal, social, technological, and other benefits outweigh and override the remaining significant impacts related to cumulative LOS D performance standards.

2.4 FINDINGS RELATED TO CUMULATIVE IMPACTS

Cumulative impacts were analyzed in each environmental topic section of the DEIR. Findings for any cumulatively considerable contribution to significant cumulative impacts are included in Section 2.3.

2.5 FINDINGS RELATED TO THE RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the project's balancing of local short-term uses of the environment and the maintenance of long-term productivity:

1. As *Burbank2035* is implemented, certain impacts would occur in the short term. Where feasible, policies and actions have been incorporated in *Burbank2035* and mitigation measures added to the *Burbank2035* EIR, as appropriate, to mitigate these potential impacts.

2. *Burbank2035* would result in the long-term commitment of resources to implement *Burbank2035*, including water, natural gas, fossil fuels, and electricity. The long-term implementation of *Burbank2035* would provide important social, economic, and environmental benefits to Burbank. *Burbank2035* will guide development and conservation within the city, consistent with the City's economic, environmental, and social objectives. *Burbank2035* will provide for quality neighborhoods and inclusive communities and encourage economic vitality. *Burbank2035* will provide for the protection and improvement of Burbank's small town character. *Burbank2035* will provide for a proactive and responsive government. *Burbank2035* will provide for employment development and in particular local job development that can take advantage of existing economic assets.

3. Notwithstanding the foregoing, some long-term impacts would result from implementation of *Burbank2035*.

Despite short-term and long-term adverse impacts that would result from implementation of *Burbank2035*, the short-term and long-term benefits of implementation of *Burbank2035* justify implementation.

2.6 CEQA PROJECT ALTERNATIVES

The feasibility of the alternatives is considered at two different points, with two different standards, in the EIR process. "The issue of feasibility arises at two different junctures: (1) in the assessment of alternatives in the EIR and (2) during the agency's later consideration of whether to approve the project." (*Cal. Native Plants Society v. City of Santa Cruz* (2009 177 Cal.App.4th 957, 981.) For the first phase - inclusion in the EIR - the standard is whether the alternative is potentially feasible. By contrast, at the second phase – the final decision on project approval- the decision making body evaluates whether the alternatives are actually feasible. At that juncture, the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible. (*Cal. Native Plants Society v. City of Santa Cruz* (2009 177 Cal.App.4th 957, 981.) These Findings represent the second phase of the Alternatives analysis, and the City is making the final decision on whether the Alternatives are feasible.

As noted under the heading "Findings Required under CEQA," an alternative may be "infeasible" if it fails to achieve the lead agency's underlying goals and objectives with respect to the project. Thus, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417).

Any one of the stated reasons identified under an Alternative is sufficient to find that Alternative infeasible.

2.6.1 *BURBANK2035* PLANNING ALTERNATIVES

The City considered a range of land use alternatives when formulating *Burbank2035*. The previous public discussion of land use alternatives is distinct from the alternatives analysis presented in this EIR, although there may be overlap with certain concepts presented earlier. Because the purpose of the EIR alternatives is primarily to identify means to reduce or avoid significant environmental effects of the project, the alternatives considered during the public discussion leading to formulation of *Burbank2035* are not considered. As discussed below, the alternatives selected by the City for study represent a reasonable stratem designed to reduce or avoid a range of potentially significant impacts associated with *Burbank2035*.

2.6.2 SUMMARY OF ALTERNATIVES CONSIDERED

The City considered four alternatives as part of the *Burbank2035* EIR process. The four alternatives were identified after publication of the notice of preparation for the project, but before the release of this EIR, at a point in time where many potential impacts of *Burbank2035* were known. Accordingly, each alternative – with the exception of the CEQA-required No Project Alternative – was formulated to provide rational and meaningful modifications to proposed land uses that would reduce environmental impacts while still achieving most project objectives. Section 15126.6(a) of the State CEQA Guidelines allows the City to select alternatives that would result in reduction of *any* significant effects of the project, and does not require reduction of impacts to a less-than-significant level. Project alternatives are not required to reduce specific individual impacts of the proposed project, so long as the City has established a reasonable range of feasible alternatives that address the significant effects of the project.

ALTERNATIVE 1 - NO PROJECT / EXISTING (1988) LAND USE ELEMENT

This alternative assumes that *Burbank2035* would not be adopted and implemented. Instead, the City of Burbank would continue to grow and develop consistent with currently allowable land uses according to the existing 1988 Land Use Element (Exhibit 6-1 on page 6-5 of the DEIR); however, redevelopment patterns would be expected to be similar to *Burbank2035* because the same infill properties would be vacant or available for redevelopment, resulting in increased intensity of development within an identical development footprint as *Burbank2035*. Alternative 1 would allow for 55,707 dwelling units, 58.2 million square feet of nonresidential development, 55.0

million square feet of cumulative office-equivalent development, an estimated population of 123,461, and estimated employment of 143,152. Future development under Alternative 1 would result in approximately 5,488 more dwelling units, approximately 6.2 million more square feet of nonresidential development, 6.8 million square feet of cumulative office-equivalent development, 6,945 more people, and 17,691 more employees than would be allowed under *Burbank2035*.

Alternative 1 assumes that none of the other proposed *Burbank2035* elements would be adopted and implemented, and that the City would not adopt the GGRP.

Finding

Alternative 1 – No Project / Existing (1988) Land Use Element is infeasible because it fails to meet key project objectives.

Facts in Support of Finding of Infeasibility

Alternative 1 fails to meet the "balanced development" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore, the City Council finds this alternative infeasible. For example, Alternative 1 would allow increased intensity of development. This would result in a larger amount of both residential and job-generating development would increase traffic pressure and could affect the small-town character of Burbank. The potential imbalance in development and could be adverse to the small town character of the community while failing to maintain economic vitality. Thus, Alternative 1 fails to provide a proper balance between community and economics.

Alternative 1 also fails to meet the "complete streets" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore, the City Council finds this alternative infeasible. Under Alternative 1, a larger amount of both residential and job-generating development would increase traffic pressure and could affect the small-town character of Burbank. Increased traffic pressure could increase traffic-related hazards for pedestrians and bicyclists, as well as decreasing efficiency of the existing transportation network. Thus, Alternative 1 has failed, and will continue to fail, to provide a proper balance between community and economics.

Furthermore, Alternative 1 would result in a number of greater environmental impacts than anticipated under *Burbank2035* (see Table 6-2 of the DEIR). Alternative 1 would result in greater environmental impacts and would not meet project objectives. Therefore, the No Project / Existing (1988) Land Use Element is infeasible.

ALTERNATIVE 2 – DISTRIBUTED LAND USE

Alternative 2 would allow for 50,219 dwelling units, 52.7 million square feet of nonresidential development, 48.9 million square feet of cumulative office-equivalent development, an estimated population of 116,516, and estimated employment of 125,104. The same number of dwelling units and population are anticipated under Alternative 2 as are anticipated under *Burbank2035*. However, future development under Alternative 2 would result in approximately 700,000 more square feet of nonresidential development, 700,000 more square feet of cumulative office-equivalent development, and 357 fewer employees than would be allowed under *Burbank2035*.

Finding

Alternative 2 – Distributed Land Use is infeasible because it fails to meet key project objectives.

Facts in Support of Finding of Infeasibility

Alternative 2 fails to meet the "balanced development" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore, the City Council finds this alternative infeasible. For example, Alternative 2 would allow greater square footage of nonresidential and cumulative office equivalent development than planned under

Burbank2035. Such increase in nonresidential development and office equivalent development compared to residential development would result in an imbalance of development because not all areas of the city have the same capacity to intensify similarly. Thus, Alternative 2 would not provide a proper balance between community and economics.

Alternative 2 also fails to meet the "economic vitality" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore the City Council finds this alternative infeasible. For example, economic vitality would not be achieved under Alternative 2 because it would allow for unbalanced intensification of nonresidential and office equivalent uses compared to residential growth. Because all areas of the city do not necessarily have the capacity to intensify similarly, balanced growth and economic expansion would be hindered compared to *Burbank2035*. Thus, Alternative 2 would not support a vibrant, healthy, and diverse economy within Burbank.

Alternative 2 would result in some lesser and some greater environmental impacts as compared to *Burbank2035* (see Table 6-2 of the DEIR). While some environmental impacts would be lessened under Alternative 2, the failure to meet project objectives combined with some greater environmental impacts makes Alternative 2 infeasible.

ALTERNATIVE 3 – GOLDEN STATE AREA – INCREASED DENSITY

The Golden State Commercial/Industrial area, located to the south and east of the Bob Hope Airport, has traditionally served as the City's industrial hub. However, in more recent years this area has been developed with a variety of commercial uses complimentary to the airport and media related businesses. In *Burbank2035*, The City seeks to introduce additional commercial uses that serve the airport, protect remaining industrial spaces, and introduce the possibility of niche residential (e.g., lofts, live-work spaces) that are compatible with the industrial character of the area. This alternative would encourage increased density in the Golden State Area relative to the *Burbank2035* land use diagram by changing uses in the Golden State area from the Airport and Golden State designations to Regional Commercial and Corridor Commercial designations, thereby converting industrial land to commercial use. Alternative 3 would allow for 50,219 dwelling units, 55.6 million square feet of nonresidential development, 52.7 million square feet of cumulative office-equivalent development, an estimated population of 116,516, and estimated employment of 134,533. The same number of dwelling units and population are anticipated under Alternative 3 as are anticipated under *Burbank2035*. However, future development under Alternative 3 would result in approximately 3.6 million more square feet of nonresidential development, 4.5 million more square feet of cumulative office-equivalent development, and 9,072 more employees than would be allowed under *Burbank2035*.

Finding

Alternative 3 – Golden State Area – Increased Density is infeasible because it fails to meet key project objectives.

Facts in Support of Finding of Infeasibility

Alternative 3 fails to meet the "balanced development" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore, the City Council finds this alternative infeasible. For example, Alternative 3 would allow greater square footage of nonresidential and cumulative office equivalent development than planned under *Burbank2035*. Such increase in nonresidential development and office equivalent development in the Golden State area compared to other areas of the city would result in an imbalance of development. Thus, Alternative 3 would not provide a proper balance between community and economics.

Alternative 3 also fails to meet the "economic vitality" objective (see Project Objectives, Section 1.3, above) for *Burbank2035* and therefore the City Council finds this alternative infeasible. For example, economic vitality would not be achieved under Alternative 3 because the development patter of the Golden State area under Alternative 3 would not maximize the unique advantages of the proximity to the airport, highways, and rail

transportation or the existing mix of job-generating operations. Thus, Alternative 3 would not support a vibrant, healthy, and diverse economy within Burbank.

Furthermore, Alternative 3 would result in a number of greater environmental impacts than anticipated under *Burbank2035* (see Table 6-2 of the DEIR). Alternative 3 would result in greater environmental impacts and would not meet project objectives. Therefore, the Golden State Area – Increased Density Alternative is infeasible.

ALTERNATIVE 4 – CENTERS & CORRIDORS – 2006 DRAFT LAND USE ELEMENT

Alternative 4 corresponds to the Draft Land Use Element prepared by City staff in 2006. This alternative is designed to concentrate commercial development in downtown Burbank and in designated neighborhood centers throughout the city, with more limited growth occurring in the Golden State area and Media District relative to *Burbank2035*, to reduce impacts typically associated with geographic concentration of development in specific areas. In addition, this alternative assumes greater redevelopment of commercial uses to residential uses along key transportation corridors throughout the city.

Alternative 4 would allow for 53,846 dwelling units, 49.0 million square feet of nonresidential development, and an estimated population of 119,155. Future development under Alternative 4 would result in approximately 3,627 more dwelling units, 3.0 million less square feet of nonresidential development, 3.7 million less square feet of cumulative office-equivalent development, 2,639 more people and 8,872 fewer employees than would be allowed under *Burbank2035*.

Finding

Alternative 4 – Centers & Corridors – 2006 Draft Land Use Element is infeasible because it would not meet project objectives to the same extent as would *Burbank2035*.

Facts in Support of Finding of Infeasibility

Although Alternative 4 would fulfill all project objectives, Alternative 4 would place a substantial amount of residential units in primarily commercial areas, compared to *Burbank2035*. The inclusion of substantial amounts of housing in primarily commercial areas could dilute commercial property values thereby less effectively supporting the retail and commercial base vital to Burbank's economy, as measured against the economic vitality objective. While both *Burbank2035* and Alternative 4 would place residential units within commercial areas, *Burbank2035* would do so to a lesser extent and would better meet the economic vitality objective.

Alternative 4 would result in some lesser and some greater environmental impacts as compared to *Burbank2035* (see Table 6-2 of the DEIR). For the purposes of this EIR, Alternative 4 is considered the environmentally superior alternative. This alternative would reduce impacts in the greatest number of environmental resource areas compared to *Burbank2035*. While some environmental impacts would be lessened under Alternative 4, the failure to meet project objectives to the extent as would occur under *Burbank2035* combined with some greater environmental impacts makes Alternative 4 infeasible.

2.7 FINDINGS REGARDING EIR ERRATA AND RECIRCULATION

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide the following examples of significant new information under this standard (CEQA Guidelines, Section 15088.5, subd. [a].):

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- A substantial increase in the severity of an environmental impact would result unless mitigation are adopted that reduce the impact to a level of insignificance.

- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com*. (1989) 214 Cal.App.3d 1043).

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, Section 15088.5, subd. (b).)

The City has published for review proposed revisions to the text in the Final EIR and *Burbank2035*. The Burbank City Council finds that the changes identified in the proposed revisions do not identify any new impacts or identify any substantial increase in the severity of an environmental impact that would not be reduced to a less-than-significant level through mitigation, nor would the revised mitigation measures result in new significant environmental impacts. Instead, the revised mitigation measures clarify and strengthen the effectiveness of the mitigation measures to help further reduce or avoid an impact. Because no new unmitigated impacts have been identified or created by the revised mitigation, the EIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of *Burbank2035*. The revisions to the EIR's mitigation measures represent improvements to the analysis and mitigation of impacts, and therefore do not require recirculation of the EIR.

3 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15092, the Burbank City Council finds that in approving *Burbank2035*, it has eliminated or substantially lessened all significant and potentially significant effects of *Burbank2035* on the environment where feasible, as shown in the EIR and described in these Findings.

The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits, including regional or statewide environmental benefits of *Burbank2035* against the remaining unavoidable environmental risks in determining whether to approve *Burbank2035* and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The impacts which were determined to be significant and unavoidable are:

AIR QUALITY

4.3-2 **Short-term Construction Emissions.** Adoption and implementation of *Burbank2035* would result in new development and redevelopment of property throughout the planning area, which would generate air quality emissions from short-term construction of planned land uses.

4.3-3 **Long-term Operational Emissions.** Adoption and implementation of *Burbank2035* would generate air quality emissions from long-term operation of planned land uses.

4.3-5 **Toxic Air Contaminants.** Adoption and implementation of *Burbank2035* would potentially generate additional diesel vehicle traffic and diesel stationary sources within the city.

4.3-7 **Cumulative Construction Emissions.** Adoption and implementation of *Burbank2035* in addition to anticipated growth in the Basin would increase the amount of construction-related air quality emissions occurring within the Basin, thereby affecting the region's ability attain ambient air quality standards.

4.3-8 **Cumulative Operational Emissions.** Adoption and implementation of *Burbank2035* in addition to anticipated growth in the Basin would increase the amount of operational air quality emissions occurring within the Basin and affect the region's ability to attain ambient air quality standards.

CULTURAL RESOURCES

4.6-1 **Substantial Change in the Significance of a Historical Resource.** Adoption and implementation of *Burbank2035* could result in new development and redevelopment of property throughout the planning area, which could cause a substantial change in the significance of a historical resource as defined in State CEQA Guidelines Section 15064.5.

4.6-2 **Substantial Change in the Significance of a Unique Archeological Resource.** Adoption and implementation of *Burbank2035* could result in new development and redevelopment of previously undisturbed land throughout the planning area, which could cause a substantial change in the significance of a unique archeological resource as defined in State CEQA Guidelines Section 15064.5.

NOISE

4.13-1 **Expose Noise Sensitive Receptors to Construction Noise Levels.** Short-term construction noise levels associated with implementation of *Burbank2035* could exceed applicable City of Burbank standards at nearby noise-sensitive receptors. In addition, if construction activities were to occur during more noise-sensitive hours (outside the construction hours defined in BMC Section 9-1-1-105.8), construction noise levels could also result in annoyance and/or sleep disruption to occupants of existing and proposed noise-sensitive land uses and create a substantial temporary increase in ambient noise levels.

4.13-2 **Long-Term Increase in Traffic Noise Levels at Existing Noise-Sensitive Receptors.** Implementation of *Burbank2035* would result in a significant increase in traffic noise levels exceeding 3-5 dBA.

4.13-4 **Exposure of Noise Sensitive Receptors to Rail Noise.** Implementation of *Burbank2035* could result in increased exposure of sensitive receptors to rail-generated noise.

4.13-5 **Exposure of Noise Sensitive Receptors to Aircraft Noise.** *Burbank2035* implementation could result in increased exposure of sensitive receptors to aircraft generated noise.

4.13-6 **Exposure of Vibration Sensitive Receptors to Construction Vibration.** Sensitive receptors could be subjected to construction vibration levels in excess of established thresholds.

4.13-7 **Exposure of Vibration Sensitive Receptors to Operational Vibration.** Operational vibration sources, including roadway traffic and industrial and commercial operations would be unlikely to expose sensitive receptors to levels exceeding recommended thresholds of significance.

4.13-8 **Cumulative Effects of Construction Noise.** Adoption and implementation of *Burbank2035*, in addition to anticipated growth in the region, would result in additional construction activity throughout the city and in adjacent jurisdictions, thereby increasing overall ambient noise levels.

4.13-9 **Cumulative Effects of Roadway Noise.** Adoption and implementation of *Burbank2035* in addition to anticipated growth in the region would result in additional vehicle trips throughout the city and in adjacent jurisdictions, thereby increasing overall ambient noise levels.

4.13-11 **Cumulative Effects of Rail Noise on Nearby Receptors.** Adoption and implementation of *Burbank2035* in addition to anticipated growth in the region could result in the construction of additional residences near existing rail operations, thereby resulting in the potential exposure of those residences to elevated noise levels due to rail operations.

4.13-13 **Cumulative Effects of Construction Vibration.** Construction of future land uses consistent with *Burbank2035*, in conjunction with other activities within the city, would expose nearby sensitive receptors to excessive vibration levels.

POPULATION, EMPLOYMENT AND HOUSING

4.14-1 **Induce Substantial Population Growth.** Adoption and implementation of *Burbank2035* would increase population in the planning area compared to 2010 conditions, and would also increase employment in the planning area, thereby indirectly causing population increases.

4.14-3 **Cumulative Inducement of Population Growth.** Adoption and implementation of *Burbank2035* in addition to anticipated land use changes throughout the Arroyo Verdugo Cities subregion would increase population both directly and indirectly (through increased employment).

PUBLIC UTILITIES AND SERVICES

4.15-9 **Demand for Water Supplies.** Implementation of *Burbank2035* would result in the need for additional water supply. The increased population growth projected from implementation of *Burbank2035* would be less than that anticipated by the UWMPs of water suppliers, and no new entitlements would be needed. However, uncertainty exists surrounding future water supply to the planning area and southern California as a whole.

4.15-21 **Cumulative Effects on Water Supplies.** Implementation of *Burbank2035* would result in the need for additional water supply. The increased population growth projected from implementation of

Burbank2035 would be less than that anticipated by the Urban Water Management Plans of water suppliers, and no new entitlements would be needed. However, uncertainty exists surrounding future water supply to the planning area and southern California as a whole.

TRANSPORTATION

4.16-1 LOS D Performance Standard. Adoption and implementation of *Burbank2035* would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard.

4.16-7 Cumulative LOS D Performance Standard. Adoption and implementation of *Burbank2035* would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard under cumulative conditions.

The City Council makes this statement of overriding considerations in accordance with State CEQA Guidelines Section 15093 in support of approval of *Burbank2035*. In the City Council's judgment, *Burbank2035* and its benefits outweigh its unavoidable significant effects. The following statement identifies the reasons why, in the City Council's judgment, the benefits of *Burbank2035* as approved outweigh its unavoidable significant effects.

Any one of the stated reasons below is sufficient to justify approval of *Burbank2035* in spite of the unavoidable impacts. Thus, even if a court were to conclude that not every reason set forth in this Statement is supported by substantial evidence, the City Council finds that any individual reason is separately sufficient. This Statement is supported by the substantial evidence set forth in the Draft EIR, Final EIR, Errata, the Findings set forth above, and in the documents contained in the administrative record.

FRAMEWORK FOR ACHIEVING THE CITY'S VISION AND GOALS

The *Burbank2035* process provides the necessary information and analysis to allow decision makers and the public to identify consensus goals for the future. *Burbank2035* also identifies the policies and actions that are necessary to achieve these goals between the present and 2035, while also fulfilling legal requirements in California for comprehensive planning. The combined narrative and diagrammatic information in *Burbank2035* represents the City's overarching policy direction for physical development and conservation. *Burbank2035* puts decision makers, City staff, property owners, property developers and builders, and the general public regarding the City's approach to managing land use change.

Burbank has enjoyed a rich and diverse history in its first 100 years. The city has grown in land area, population, employment, transportation, and opportunity. Burbank has also established a unique economic identity, first as home to the aviation industry and then to the entertainment industry. While always on the cutting edge of new economic trends, the community has met the challenge of preserving its small-town character; maintaining health, safety, and welfare; and meeting today's needs without sacrificing the ability of future generations to do the same. *Burbank2035* is designed to lead Burbank into its second 100 years, continuing to advance a critical balance between quality of life, economic prosperity, and environmental sustainability.

Burbank2035 balances vision with practicality. In the future, there will be opportunities for investment and community advancement; there will also be times requiring restraint and conservation. Regardless of circumstances, Burbank's decisions will focus on managing growth within its boundaries, strengthening neighborhoods and businesses, making streets places for people, and preserving the resources that together make Burbank a desirable place to live, work, and play.

Burbank's high quality of life stems from its programs and services, educational opportunities, and historic, natural, and cultural resources that are essential to enriching lives. We know that Burbank's population, businesses, mobility, and opportunities will change in the next 25 years. Because of this, the foremost goal of

Burbank2035 becomes planning for this known change while preserving our high quality of life for future generations.

- **Balanced Development** - Burbank has a desirable balance of land uses to best serve residents and protect the small-town character of the community while maintaining economic vitality.

- **Community Image and Character** - The architecture, design, and density of new development identify and characterize Burbank as a unique destination. Burbank treasures its small-town character that gives residents a sense of belonging and community.

- **Complete Streets** - Burbank prioritizes streets that are complete, safe, and efficient. All users of city streets are valued equally, and the street is considered an essential public place. Parking is planned to meet the needs of residents, workers, and visitors. Convenient public transportation and bicycle and pedestrian facilities provide choices for safe movement throughout the city and link Burbank to the regional multi-modal transportation system.

- **Economic Vitality** - Burbank has a vibrant, healthy, and diverse economy. The City supports businesses that are a vital part of Burbank's economy and seeks to capitalize on unique aspects of its economic base.

- **Environmental Equity** - Burbank ensures that the adverse and positive environmental effects of planning decisions are borne equally by the entire community, regardless of age, culture, ethnicity, religion, gender, sexual orientation, race, socioeconomic status, or geographic location.

- **Housing Variety** - Burbank offers a wide range of housing to meet the needs of all age groups, family types, and income levels, as well as those with special housing needs.

- **Open Space and Conservation** - Burbank's parks, open space and recreational facilities are valuable resources for the community and are carefully maintained, preserved, and expanded wherever possible. The Verdugo Mountains are a unique natural resource in an urban environment that Burbank is fortunate to enjoy. Preserving this asset is a priority.

- **Proactive and Responsive Government** - Burbank listens and responds to the needs and concerns of the community. The City provides services and public facilities that support safe, convenient, and attractive neighborhoods; high-quality educational, recreational, and social programs; and reliable public utilities.

- **Quality Neighborhoods and Schools** - Neighborhoods are a basic building block of Burbank's small-town atmosphere. Burbank is committed to maintaining and protecting its quality residential neighborhoods. Burbank schools are a source of pride for the community and a resource to support and protect.

- **Safety** - Burbank provides a safe and healthy environment and protects all people in the community. The City is prepared to manage and recover from emergencies.

- **Sustainability** - The City makes prudent decisions about the amount and location of growth to ensure a high quality of life for present and future generations. Environmentally sound development is required, with special attention given to water and energy conservation, recycling, and complete streets.

The City's vision and goals for *Burbank2035* were developed with input received at community meetings, workshops, and various solicitations for comments. As such, special attention must be paid to the vision and goals, since they represent a consensus among the community and decision makers.

Some mitigation measures suggested by the public or public agencies could be implemented, but may be determined to be infeasible to implement. Some mitigation measures, such as street widening, narrowing sidewalks, or requiring right-of-way acquisition, as discussed under Impact 4.16-1 in the DEIR would represent a

conflict with policies proposed in *Burbank2035*. The City determined that although some mitigation measures could be implemented, they are determined to be infeasible for the City to implement because they would conflict with the City's desired vision, goals and policies outlined in *Burbank2035*.

Burbank2035 reflects the priorities of Burbank's people. Although certain elements of *Burbank2035* are required by State law, the customized goals, policies, and actions of *Burbank2035* are specific to Burbank based on the vision and goals.

The framework for land use change provided in *Burbank2035* allows the City and other public service providers (such as the community services districts, public utility districts, fire districts, water and irrigation districts, and school districts) to plan for services and facilities consistent with *Burbank2035*. *Burbank2035* is also the basis for all other planning efforts, such as specific plans, community plans and redevelopment plans.

ECONOMIC DEVELOPMENT

The quality of life experienced by Burbank residents is greatly affected by the local economy. Burbank enjoys a vibrant economy while providing a small town character for residents. Major employers in Burbank include The Walt Disney Company, Bob Hop Airport, and Warner Bros. Entertainment, ABC, and NBC/Universal.

The jobs-to-housing ratio in Burbank is 2.14, meaning that there are approximately 2.14 jobs per housing unit within the city (TBR, page 15-2). This means that many Burbank residents may work in Burbank. In order to fulfill the *Burbank2035* vision and goals, Burbank seeks to continue to provide a high number of jobs within the city.

Burbank2035 is designed to increase population as well as job opportunities. The Land Use Diagram provides various employment development opportunities in multiple land use designations. *Burbank2035* has provided substantial flexibility for long-term population, commercial, and employment growth. There is sufficient planned development capacity in the City to accommodate projected population growth and the City's goals for job growth and economic development through 2035.

LONG-RANGE GUIDE FOR GROWTH MANAGEMENT

Burbank2035 provides the City with a guide for day-to-day decision making toward long-term prosperity and sustainability. Together, the *Burbank2035* Elements are a comprehensive statement of the goals, policies, standards, and implementation measures for managing growth and conservation within Burbank

Burbank2035 is structured to achieve its goals by the year 2035. The planning process allows periodic updates to address any deviations from *Burbank2035*'s goals or political-economic conditions. *Burbank2035*'s goals and policies are intended to maintain and enhance the character of Burbank, while allowing for economic growth and maintenance of the community atmosphere. The updated policies are considered feasible and as such, take into account current land economic conditions and realistic growth assumptions. The growth estimates used in developing *Burbank2035*and analyzing environmental impacts are consistent with emerging land use policies and goals at the regional level.

GENERAL PLAN UPDATE REFLECTS CURRENT ENVIRONMENTAL AND PLANNING REQUIREMENTS

The City last updated the Land Use Element of its General Plan in 1988. The City has not updated its Transportation Element since 1964. The Open Space Element and Conservation Element were last adopted in 1972. The City last updated the Noise Element in 1992 and the Safety Element in 1997. Since that time, the Housing Element has been updated consistent with California law. Because the last update of the Housing Element occurred in 2008, an update is not included in *Burbank2035*. Because the Land Use Element is more than

20 years old and other elements are older, they are at the end of their time horizon and require updating to comply with current environmental and planning regulatory requirements.

Burbank2035 contains a variety of policies and actions that incorporate the latest State and federal regulations on air quality management, water quality protection, cultural resources, hazards and hazardous materials, and other key topics. *Burbank2035* reflects the existing on-the-ground land use context, which has changed substantially since the last update.

GREENHOUSE GAS REDUCTION PLAN

The proposed project also includes the Greenhouse Gas Reduction Plan (GGRP) designed to help the City reduce its greenhouse gas emissions. The GGRP describe how the City will assist the State in fulfilling its obligations under Assembly Bill (AB) 32. The City is adopting the GGRP as an implementing action for *Burbank2035* to meet the goals and implement the policies set forth in the Air Quality and Climate Change Element. The GGRP describes measures intended to reduce greenhouse gas (GHG) emissions within City operations and the community at-large.

CONCLUSION

The Burbank City Council has considered these benefits and considerations and has considered the potentially significant unavoidable environmental effects of *Burbank2035*. The City Council has determined that the economic, legal, social, technological, and other benefits of *Burbank2035*, including regional benefits, outweigh the identified impacts. The City Council has determined that *Burbank2035* benefits set forth above override the significant and unavoidable environmental costs associated with implementation of *Burbank2035*.

The City Council adopts the mitigation measures in the final Mitigation Monitoring and Reporting Program, incorporated by reference into these Findings, and finds that any residual or remaining effects on the environment resulting from *Burbank2035*, identified as Significant and Unavoidable in the Findings of Fact, are acceptable, due to the benefits set forth in this Statement of Overriding Considerations. The City Council makes this statement of overriding considerations in accordance with State CEQA Guidelines Section 15093 in support of approval of *Burbank2035*.

4 REFERENCES

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